



**REPORT
OF
THE SECURITY COUNCIL**

16 July 1969—15 June 1970

**GENERAL ASSEMBLY
OFFICIAL RECORDS ; TWENTY-FIFTH SESSION
SUPPLEMENT No. 2 (A/8002)**

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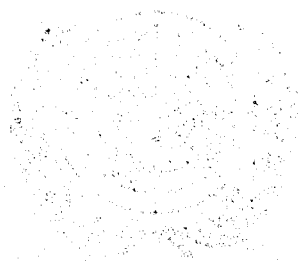


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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.



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INTRODUCTION

The present report¹ is submitted to the General Assembly by the Security Council in accordance with Article 24, paragraph 3, and Article 15, paragraph 1, of the Charter.

Essentially a summary and guide, reflecting the broad lines of the debates, the report is not intended as a substitute for the records of the Security Council, which constitute the only comprehensive and authoritative account of its deliberations.

With respect to the membership of the Security Council during the period covered, it will be recalled that the General Assembly, at its 1786th plenary meeting on 20 October 1969, elected Burundi, Nicaragua, Poland, Sierra Leone and Syria as non-permanent members of the Security Council to fill the vacancies resulting from the expiration, on 31 December 1969, of the terms of office of Algeria, Hungary, Pakistan, Paraguay and Senegal.

The period covered in the present report is from 16 July 1969 to 15 June 1970.² The Council held fifty-nine meetings during that period.

¹ This is the twenty-fifth annual report of the Security Council to the General Assembly. The previous reports were submitted under the symbols A/93, A/366, A/620, A/945, A/1361, A/1873, A/2167, A/2437, A/2712, A/2935, A/3157, A/3648, A/3901, A/4190, A/4494, A/4867, A/5202, A/5502, A/5802, A/6002, A/6302, A/6702, A/7202 and A/7602.

² The period covered by the present report was adjusted, with the consent of the Council, so that the closing date would coincide with that of the report of the Secretary-General on the work of the Organization.

Part I

QUESTIONS CONSIDERED BY THE SECURITY COUNCIL UNDER ITS RESPONSIBILITY FOR THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

Chapter I

THE SITUATION IN THE MIDDLE EAST

A. Communications, reports of the Chief of Staff and discussion by the Council concerning the status of the cease-fire

1. COMPLAINTS BY JORDAN AND ISRAEL

Communications to the Council from 16 July 1969 to 15 June 1970

1. In a letter dated 12 August 1969 (S/9386), Jordan, after referring to its letter of 16 May 1969 (S/9211), charged that its territory had been subjected further to intensified shelling and air raids by Israel. It added that on 27 July several squadrons of Israeli jet aircraft had bombed and strafed Jordanian positions in the Irbid district. The attack had resulted in three military personnel being killed and sixteen injured. The day before that, two civilians had been killed and two injured, following the shelling by Israel forces of the village of Shunah Shamaliyah. Jordan also submitted a list of ninety cease-fire violations by Israel during the period between 5 May and 23 July 1969.

2. In a second letter dated 12 August (S/9388), Jordan charged that on 10 August Israeli jet aircraft had attacked the East Ghor Canal, a vital irrigation project in Jordan, causing further damage and destruction to that project. Jordan further charged that, within two months, Israel had twice attacked the Canal with the intention of destroying the agricultural economy of Jordan.

3. In a letter dated 20 August (S/9399), Israel, in reply to Jordan's two letters of 12 August (S/9386 and S/9388), stated that Jordan had been encouraging aggressive activities against it and that armed attacks had been carried out from within the Jordanian territory with the participation of Jordanian regular and irregular forces, reinforced by military units from Iraq. Israel also charged that Syria had introduced some units of its armed forces into Jordan.

4. In a letter dated 26 November (S/9512), Jordan stated that on 24 November an Israeli patrol had crossed the armistice line in Ghor Fetah, south of the Dead Sea, killing four Jordanian shepherds and kidnapping a fifth one. It added that on 17 November Israeli soldiers had kidnapped three civilians in the area south-west of Maïen.

5. In a letter dated 8 December (S/9543), Jordan stated that two Israeli torpedo boats had fired on the Japanese ship *Shinkai-Marû* in the Gulf of Aqaba while the ship was heading to the Jordanian port of Aqaba. The letter added that Israel had done so, even though it had full knowledge of the ship's identity and its commercial cargo.

6. In a letter dated 9 December (S/9546), Jordan stated that on 6 December Israeli jet aircraft had attacked with rockets the area of Al Rayhanat in the northern part of the Jordan Valley, and that on 8 December Israeli artillery had shelled the city of Irbid, with many civilian casualties and damage to property resulting from both attacks.

7. In a letter dated 16 December (S/9560), Israel, in reply to Jordan's above letter, stated that, in view of the continued attacks against Israeli villages in the Beit Shean valley by terror squads operating from Jordanian territory, Israeli aircraft had taken action against a terrorist base on the east bank of the Jordan and that on 8 December the town of Beit Shean had been shelled from Jordan with Katyusha rockets. Israel claimed that it had returned fire in self-defence.

8. In a letter dated 22 December (S/9578), Jordan stated that Israeli aircraft had raided three villages near Irbid, using rockets, bombs and machine-guns, and that the raid had resulted in six soldiers killed and nineteen wounded. On the same day, Jordan added, the city of Irbid itself had also been shelled, causing injuries to civilians and damage to property. The letter concluded by stating that the frequency of the Israeli attacks indicated that Israel seemed to be following a premeditated official policy and, therefore, more effective international action was required.

9. In a letter dated 5 January 1970 (S/9592), Israel charged that in the last week of December 1969 more than 120 attacks had been carried out from Jordan against Israeli villages in the Jordan and Beit Shean valleys, including artillery shelling on 27 December 1969 of a nursing home in the Kibbutz Masada. Those attacks had continued throughout the first days of January 1970. Israel, after recalling that the observance of the cease-fire should be reciprocal, reserved its right to act in self-defence.

10. In a letter dated 9 January (S/9596), Jordan stated that Israel had intensified its attacks against Jordanian civilians and their means of livelihood. After charging that more than 220 acts of aggression had been carried out by Israel against farms, villages and towns in the northern and central parts of the Jordan valley, the letter gave details of some of those attacks and the destruction they had caused to life and property.

11. In a letter dated 13 January (S/9600), Israel replied that the Jordanian letter had made no reference to the armed attacks against it from Jordanian territory. Because of those continued attacks, Israel was

compelled to take defensive measures to protect its territory and the life of its citizens.

12. In a letter dated 19 January (S/9608), Jordan charged that on the previous day Israeli forces had opened mortar fire on Jordanian farmers in Tall-As-Sukkar in the northern part of the Jordan valley, killing four farmers and wounding six others. In a letter dated 21 January, Jordan stated (S/9610) that on 20 January an Israeli battalion, supported by Israeli aircraft, had crossed the armistice demarcation line south of the Dead Sea in the area of Ghor-Es-Safi and Fetah and had engaged Jordanian forces until the next day, while Israeli jet aircraft had bombed and strafed military and civilian targets in the area.

13. In a letter dated 22 January (S/9613), Israel, after referring to its letters of 16 December 1969 and 5 January 1970, charged that in recent weeks the area of armed attack from Jordanian territory had included the Dead Sea region and that on 19 and 20 January the Dead Sea Potash Works had been shelled. Acting in self-defence, units of Israeli Defence Forces had entered the Safi area south of the Dead Sea to clear the area of terrorist squads.

14. In a letter dated 27 January (S/9618), Jordan charged that Israel's indiscriminate attacks against civilians in Jordan villages and cities had caused the loss of innocent life and destruction of property. The letter transmitted photographs of women and children who had been victims of those attacks. Israel replied, in a letter dated 29 January (S/9623), that the cease-fire was being constantly violated by acts of aggression carried out by regular and irregular forces from Jordanian territory against Israeli villages and their civilian inhabitants and that the bloodshed and damage caused by those acts had been reported to the United Nations. As a result of Jordanian armed attacks and Israel's counter-measures, suffering and grief had been caused to both sides, for which the Arab States, including Jordan, should be held responsible.

15. In a letter dated 21 April (S/9761), Jordan stated that Israeli armed forces, in violation of the principles of international law, had been engaged in constructing a three-kilometre road into Jordanian territory in Ghor-Es-Safi, south of the Dead Sea, in an attempt to occupy the sources of water in Jordanian territory with the aim of controlling those water sources and linking them to Israeli potash factories.

16. In two letters dated 24 April (S/9764 and S/9765), Jordan, after referring to its letter of 9 January, stated that from the beginning of the current year and up to 10 April, Israeli forces had continued their attacks against civilian centres across the Jordan River. In some of those attacks, jet fighter bombers, artillery and rockets had been used. In an attack on 10 April, Israeli jet aircraft had strafed a funeral procession in the village of Shunah Shamaliyah, killing six civilians and wounding eighteen others.

17. In a letter dated 26 April (S/9766), Israel stated that, according to a Middle East news agency report, the Foreign Minister of Jordan had declared his agreement with a statement by the President of the United Arab Republic that the cease-fire between the Arabs and Israel had been non-existent. In Israel's view that declaration constituted a development of the utmost gravity concerning Jordan's attitude towards its obligations under the cease-fire resolutions. Israel considered that the cease-fire was unconditional except for being based on reciprocity and that the Security Council had

rejected all proposals to link it to any other matters, including the question of withdrawal.

18. In a further letter of the same date (S/9767), Israel, in reply to the two Jordanian letters of 24 April (S/9764 and S/9765), stated that those communications were designed to cover Jordan's own disregard for the cease-fire. The acts of aggression carried out from Jordanian territory by regular and irregular forces were continuing, and the operations of the irregular forces were co-ordinated with the Jordanian authorities. The air raid on civilian targets in the area of Shunah Shamaliyah on 10 April and Muthalath Es-Salt on 24 April referred to in Jordan's letters had simply been action taken against the sources of attacks on the Israeli town of Beit Shean and against a known base of irregular forces.

19. In a letter dated 1 June (S/9816), Jordan stated that Israeli forces had shelled the town of Irbid from the occupied Syrian heights, killing one six-year-old child and wounding twelve civilians. On the same day, a letter from Israel charged (S/9817) that rockets, fired indiscriminately from Jordan, had fallen in the vicinity of three schools, killing a ten-year-old girl and wounding three other children. Israel further charged that, from 26 April until the end of May, there had been 281 armed attacks from Jordan, in which six Israelis had been killed and sixteen wounded.

20. In a letter dated 3 June (S/9818), Israel stated that another rocket attack from Jordan against Beit Shean had killed two children and wounded ten others. In two letters of the same date (S/9819 and S/9820), Jordan stated that Israel had carried out air raids against the villages of Shunah Shamaliyah and Kuraimah, killing two children and wounding nine other civilians. In other jet aircraft and artillery attacks against villages in the northern part of Jordan seven civilians had been killed and thirty-three others wounded. Jordan added that those attacks by Israel had created a grave situation, increasing tension in the area and causing a serious threat to international peace.

2. COMPLAINTS BY ISRAEL AND THE UNITED ARAB REPUBLIC

Communications to the Council and reports of the Secretary-General on the observance of the cease-fire from 16 July 1969 to 15 June 1970

21. In two communications dated 17 and 18 July 1969 (S/9337 and S/9339), the United Arab Republic and Israel, respectively, submitted charges and counter-charges regarding the handling of the bodies of five United Arab Republic soldiers killed on the east bank of the Suez Canal.³ The United Arab Republic charged that Israel had been procrastinating concerning removal of the bodies in order to reinforce its position. In reply, Israel charged that it was the United Arab Republic which had frustrated the attempt to remove the bodies of the dead soldiers by firing on the recovery location, thus compelling the party in charge to withdraw.

22. In supplemental information dated 18 July (S/7930/Add.271 and Corr.1), Lt. General Odd Bull, Chief of Staff of the United Nations Truce Supervision Organization (UNTSO) stated that Israel had informed him that the bodies of five Egyptian soldiers had been found on the east side of the Canal and that arrange-

³ See *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 2 (A/7602)*, chapter 1, para. 255.

ments had been made to recover and repatriate the bodies on 24 June. However, the recovery attempt had not been completed, as mortar rounds fired by United Arab Republic forces had landed at the recovery location, and compelled the party in charge to withdraw. The United Arab Republic had later insisted on the immediate return of the bodies and had rejected a proposal to complete the recovery and hand-over on 24 June. Subsequently, it was agreed to make a new attempt on 17 July. As preparations for the recovery were being made, machine-gun fire had been heard from the west side of the Canal, and bullets had passed within 20 to 30 meters of the recovery site. Mortar and artillery fire had been exchanged, and the recovery operation had been halted. A cease-fire proposed later had been accepted by Israel, but no reply had been received from the United Arab Republic.

23. In a letter dated 20 July (S/9343), the United Arab Republic charged that Israeli forces had that day attempted to take over "Green Island" located in the south part of the Suez Canal. In another letter of the same date (S/9344), the United Arab Republic further charged that Israeli jet aircraft had attacked civilian centres and economic installations in several cities of the Suez Canal zone.

24. In a letter dated 22 July (S/9349), Israel stated that, faced with continuous attacks by the United Arab Republic armed forces, Israel had no choice but to resort to measures of self-defence. Those measures, however, were directed exclusively against United Arab Republic military positions and against bases from which attacks against Israeli forces had originated.

25. During the period from 16 to 31 July, the Secretary-General received supplemental information from the Chief of Staff of UNTSO (S/7930/Add.267, 268, 270, 271 and Corr.1, 290 and 292), relating to incidents of firing across the Canal with rifles, light and heavy machine-guns, artillery mortar, tanks and rockets. The reports of the Chief of Staff also contained information relating to aerial activities and to incidents of firing on United Nations personnel and installations.

26. In supplemental information dated 27 July (S/7930/Add.284), the Chief of Staff of UNTSO reported that Major B. R. Plane of the Swedish Army, a United Nations military observer on duty on the west bank of the Suez Canal, had been killed by artillery fire. In a special report on that incident dated 30 July (S/9368), the Secretary-General informed the Security Council that he had received a report from the Chief of Staff of UNTSO, containing the findings of the board assigned to investigate the death of Major Plane. After examining all the circumstances leading to the death of Major Plane, the board had concluded that Major Plane had died in the course of duty as a result of being hit by a fragment of an artillery shell that had exploded outside his observation post. From the evidence presented to the board and from its own independent inquiries, the board had further concluded that the artillery shell in question had come from a north-easterly direction from an area occupied by Israeli forces. In addition to reporting the findings of the board, the Secretary-General observed that the tragic death of Major Plane had given grim reality to the fears felt about the situation in the Suez Canal sector and recalled that he had already drawn attention to the steadily deteriorating conditions under which United Nations military observers were carrying out their duties and to the increasing danger to which they were exposed. The

daily supplemental information reports to the Security Council on the Suez Canal sector frequently mentioned firing on the United Nations military observers, their posts, vehicles and equipment.

27. From 1 June to 29 July 1969, the Secretary-General added, there had been seventy-four instances of firing at or near United Nations posts or personnel by United Arab Republic forces and fifteen such instances of firing by Israeli forces. The Chief of Staff of UNTSO had made persistent efforts to improve the various means of safeguarding United Nations personnel; but those measures had not yet achieved the desired result. During the same period, intense aerial activity across the Canal had also been reported, and on five occasions United Nations observation posts had sustained damage as a consequence of that activity.

28. After pointing out the risks involved in attacks on the United Nations military observers, the Secretary-General again appealed to the parties themselves to abide by the cease-fire and respect the observers who supervised it and co-operate with efforts made within the United Nations for a peaceful settlement. He appealed also to the members of the Security Council to do their utmost, individually and collectively, to influence events in a new and constructive direction and to improve the working conditions of the observers in the Suez Canal sector. It was increasingly evident, he added, that the absence of an early prospect of the implementation of Security Council resolution 242 (1967) of 22 November 1967 was one of the factors that tended to increase the incidence of cease-fire violations in all sectors of the Middle East. After paying his personal tribute to the memory of Major Plane and to other observers, the Secretary-General also expressed his appreciation to the Governments who had provided those observers for their co-operation and understanding and concluded that, after consultation with those Governments, he would make further recommendations to the Security Council.

29. During the month of August, supplemental information from the Chief of Staff of UNTSO (S/7930/Add.292, 294-297, 299-311, 313, 314, 316, 317, 319 and 321-326) was received and circulated almost daily. The reports referred to heavy exchange of fire and to some aerial activity. Between 6 and 29 August, the Chief of Staff of UNTSO reported twelve instances of firing at or close to United Nations installations and observation posts located on the east side of the Canal by United Arab Republic forces.

30. In supplemental information dated 19 August (S/7930/Add.311) the Chief of Staff of UNTSO reported that, because of United Arab Republic artillery fire at an unoccupied observation post on the east side of the Canal and in view of the lack of assurance to ceasefire on the part of the United Arab Republic authorities, the working party at that post had had to withdraw. In a letter dated 23 August (S/9405), Israel informed the Security Council that on the night of 20-21 August, the work on construction of the United Nations Observation Post Orange had been stopped at the request of the observers, who had been advised that the United Arab Republic authorities were opposed to continuation of the work on the shelter. In a letter dated 27 August (S/9417), the Secretary-General informed Israel that, according to the reports received from the Chief of Staff of UNTSO, work had continued at Observation Post Orange since 21 August

without interruption and that the shelter had been completed on 25 August.

31. During the month of September the Secretary-General circulated thirty-seven documents containing supplemental information received from the Chief of Staff of UNTSO including eight separate reports on aerial activities (S/7930/Add.327, 328, 330-344, 346-367). In that period also there were ten instances of firing at United Nations observation posts.

32. In supplemental information dated 22 September (S/7930/Add.355), the Chief of Staff, reporting on the closing of Observation Post Mike, stated that in his meetings on 10 and 11 September with the United Arab Republic and Israeli authorities he had discussed the problem faced by the United Nations military observers in the Suez Canal sector. In his discussions with United Arab Republic authorities, the question of encroachment on the observation posts, in particular Observation Post Mike, had been raised. The Chief of Staff reported that since 25 July there had been eight instances of firing at or close to Observation Post Mike from the east side of the Canal. On 27 July, artillery fire close to that post had resulted in the death of Major B. R. Plane, and, on 21 September, the post had been hit again by heavy-weapons fire. In view of the serious damage caused by the above-mentioned firing and the danger to the lives of the observers, the Chief of Staff stated that he had no other alternative but to close Observation Post Mike temporarily, with effect from 24 September.

33. In supplemental information received in October (S/7930/Add.368-402, 404 and 405), the Chief of Staff reported that the firing incidents had continued as in previous months, increasing in frequency and involving the use of light and heavy weapons. He also reported continuation of aerial activity involving Israel jet fighters and bombers crossing the Canal from east to west and anti-aircraft fire from the United Arab Republic forces.

34. Throughout the month of November the Secretary-General circulated supplemental information from the Chief of Staff of UNTSO (S/7930/Add.406-411, 413-423, 425-431 and 433-441) indicating that the exchange of fire had continued unabated in the Suez Canal sector, including intensification of aerial activity. The Chief of Staff also reported that Israeli Phantom jets had been observed crossing the Canal on 29 November to carry out attacks on the west bank of the Canal.

35. In supplemental information dated 9 November (S/7930/Add.416), the Chief of Staff reported that observers at the Kantara Control Centre at Rahba, on the east bank of the Canal, had heard heavy shelling and had seen muzzle flashes about ten kilometres north-north-west of the control centre and that the target seemed to be the area of Romani. At the same time, aerial activity and anti-aircraft fire had been observed. On that day, Israeli authorities had informed the UNTSO operation officer that on the evening of 8 November two United Arab Republic destroyers and three torpedo boats had shelled the Romani area for about forty-five minutes and that Israeli aircraft had been employed against those vessels. The Chief of Staff also reported that in several instances the United Arab Republic forces had fired at points close to the United Nations observation posts, although no Israeli military personnel had been in the vicinity of those posts. During the same period Israeli jets had

continued to attack targets on the west bank of the Canal.

36. During the month of December supplemental information from the Chief of Staff (S/7930/Add.442-446, 448, 450, 452, 454, 457-463, 465, 466, 468, 470 and 472-480) indicated that exchange of fire in the Suez Canal sector had continued with the same intensity as before. The reports also indicated that there had been twenty incidents of firing on or close to United Nations installations and observation posts during that period that had caused damage. In one incident, on 8 December (S/7930/Add.448), an observer had received leg, face and eye injuries from explosives that had detonated alongside the roadway. Frequent firing at Observation Post Yellow had made it necessary for the Chief of Staff to close that post and relocate it at a new site, which had been agreed upon with Israeli authorities.

37. In a letter dated 4 December (S/9540), the representative of the United Arab Republic recalled his conversation with the Secretary-General on 2 December, in which he had expressed the grave concern of the Arab delegations with regard to the use of United States-built Phantom jet aircraft by the Israeli armed forces against towns and villages in the United Arab Republic, and quoted from relative supplemental information submitted by the Chief of Staff of UNTSO (S/7930/Add.439). He added that the use of those aircraft by Israel bore out the warnings expressed repeatedly by the Arab countries regarding the serious repercussions of providing Israel with such offensive war weapons. Moreover, such military aid assumed a disturbing character, coming as it did from a permanent member of the Security Council.

38. In the month of January 1970 there were thirty-two supplemental reports from the Chief of Staff (S/7930/Add.481, 483-487, 489, 490, 493-498, 500-502, 504, 506, 508, 510, 512-516, 518, 520, 522, 523, 525 and 526) on firing incidents, overflights and firing on United Nations observation posts in the Suez Canal sector.

39. In a letter dated 26 January 1970 (S/9626), the United Arab Republic charged that on 25 January Israeli aircraft had attacked an unarmed United Arab Republic civilian vessel while it was sailing in the Red Sea at a distance of twenty kilometres from the Egyptian town of Ghadarka. The attack, which had resulted in the wounding of six civilian members of the crew, was carried out by Israel in violation of international law.

40. Israel, in a letter dated 2 February (S/9635), replied that the United Arab Republic's above charges were unfounded and were, in fact, intended to divert attention from that State's repudiation of the ceasefire. The boat in question was an auxiliary craft in the service of the United Arab Republic Army, and Israeli forces were under strict orders not to strike civilian vessels.

41. In a letter dated 20 February (S/9656), the United Arab Republic charged that an attack carried out on 12 February by Israeli Phantom jet planes against the National Products Factory of metallurgical works at Abu Zaabal in the United Arab Republic had resulted in the death of eighty persons and injuries to still a greater number of workers. As would be clear from the reports of the international press, that factory was situated far from any military installation. The letter added that the attack, which had been carried

out by Phantom jets, had demonstrated the kind of use to which Israel was putting the aircraft allegedly provided to it for defensive purposes and belied Israel's claim that its forces were under strict orders not to strike at civilian targets.

42. By a letter dated 20 February (S/9657), the representative of the Union of Soviet Socialist Republics transmitted to the Secretary-General a TASS statement dated 16 February concerning the reported attack by Israeli aircraft on an Egyptian metallurgical plant near Cairo on 12 February 1970. After charging that the Israeli leaders had disregarded the principles of humanity and international law in order to undermine a peaceful settlement in the Middle East, the statement indicated that, by escalating their aggression, the Israelis believed that they would be able to force the Arab States to surrender their lawful interests. It added that as long as the aggressor continued its defiance of the principles and purposes of the United Nations Charter and the Security Council resolutions, the Soviet Union would be obliged to provide the necessary support to the Arab States in strengthening their capacity to defend their security and their rightful interests.

43. In a letter dated 21 February (S/9658), Israel stated that, acting in self-defence, it had taken air action against the military camp at Al-Khanka, but when a spokesman for the United Arab Republic had announced that bombs had fallen on a steel plant located near the camp, resulting in civilian casualties, an investigation had been ordered. The letter then added that a spokesman for Israeli Defence Forces had declared that the plant could have been hit only as a result of an error and that Israel's policy continued to be to take action only against military targets. The Israeli spokesman also had announced that a debriefing of the pilots had revealed "that there was a possibility that due to a technical error, the bombs of an aircraft had been released outside the target" and that the Israeli Minister of Defence had requested the representative of the International Red Cross and the Chief of Staff of UNTSO to inform the United Arab Republic authorities that, among the bombs dropped, there had been one weighing 400 kilograms set to explode after an interval of twenty-four hours and that it was necessary to defuse it in time to prevent explosion. In a letter dated 27 February (S/9669), Israel said that the TASS statement that had been transmitted to the Council had disregarded Israel's policy aimed at concluding a peace agreement in the Middle East and, instead, had exalted Soviet support of the so-called Arab war of attrition.

44. During the month of February, the Secretary-General circulated twenty-nine supplemental reports from the Chief of Staff (S/7930/Add.528, 530, 532, 534, 536, 537 and Corr.1, 538-542, 544, 546, 548, 550, 552, 554, 555, 557, 559-564, 566, 567 and 569), relating to firing incidents and indicating intensified aerial activity. The supplemental information on aerial activity dated 10 February (S/7930/Add.541), indicated that a number of unidentified aircraft had crossed the Canal from west to east and had attacked with bombs targets north of Observation Post Silver on the east bank of the Canal. During the attack, one bomb had fallen seventy-five metres from the observation post. Later on the same day, one artillery shell fired by United Arab Republic forces had landed near Observation Post Caravan. By the same document the Chief of Staff also reported that a number of Israeli

jet aircraft had crossed the Canal and attacked targets on the west bank and that one bomb had landed in the Canal about sixty metres west of Observation Post Silver.

45. During the month of March, thirty-one supplemental reports on incidents in the Suez Canal sector were circulated by the Secretary-General (S/7930/Add.572, 573, 575, 577, 579, 581 and Corr.1, 583, 585, 587, 589, 591, 593, 595, 597, 598, 600, 602, 604-606, 608, 610, 611, 613, 615, 617, 619, 621, 622 and 624), indicating intensified aerial activity and transmitting information on damage to United Nations installations.

46. In two supplemental information reports dated 6 and 7 March (S/7930/Add.579 and 581 and Corr.1) the Chief of Staff had stated that Observation Post Yellow, which had been temporarily closed on 11 December 1969, pending its relocation to a safer site, had resumed operation from 5 March. On 31 March, he reported (S/7930/Add.626) that the United Arab Republic authorities had complained that United Nations vehicles had been moving in the midst of a number of Israeli vehicles and that the local commander had not fired because of the presence of the United Nations vehicles. The United Nations officer-in-charge of Kantara Control Centre had replied that a United Nations relief patrol, on its way to Observation Post Green, had inadvertently become involved with the Israeli vehicles. The United Nations personnel was under instruction to avoid other vehicles.

47. In a letter dated 8 April (S/9744), the United Arab Republic stated that Israeli Phantom jets had attacked a primary school in the village of Hous-saineya in Sharkia Province, resulting in the death of thirty-one school children and the wounding of many other civilians.

48. In a letter dated 9 April (S/9745), Israel replied that the air action referred to by the United Arab Republic had been undertaken against Egyptian military installations situated at Salahiye and that air photographs taken before and after the action had clearly indicated identifiable military installations. The letter stated that press releases from the United Arab Republic had indicated that authorities there had prevented journalists from visiting the site of the reported Israeli air action. Press releases had also mentioned that some of the wounded boys that journalists had seen in the hospital were dressed in khaki uniforms and apparently had participated in premilitary training in the Salahiye camp. In a further letter dated 14 April (S/9752/Rev.1), Israel stated that United Arab Republic authorities had taken five days to arrange for a visit of press representatives to the target area, thus allowing themselves time to remove traces of military installations.

49. By a letter dated 15 April (S/9755), the United Arab Republic informed the Secretary-General that sixteen other school children had died of wounds suffered during the Israeli air attack and attached photographs to show that the children were so young as to refute the Israeli allegation that they had been undergoing paramilitary training in a military compound. The United Arab Republic's letter further quoted from a Reuter's dispatch of 15 April declaring that the press correspondents had seen only agricultural projects work but no sign of military equipment at the site of Israeli air action.

50. In a letter dated 15 April (S/9756), the Union of Soviet Socialist Republics transmitted to the Security Council the texts of statements issued by the Soviet Committee of Solidarity with Asian and African Countries and the USSR Union of Journalists, as well as a copy of the cable from the Committee of Soviet Women and the USSR Academy of Pedagogic Sciences, all protesting Israel's bombing of a primary school in the United Arab Republic.

51. In a reply dated 17 April (S/9757), Israel stated that the USSR had aided the propaganda services of the United Arab Republic and that the prime responsibility for the losses sustained by both sides in the "war of attrition" rested with the United Arab Republic.

52. During the month of April, the Secretary-General circulated further supplemental information received from the Chief of Staff (S/7930/Add.626, 628, 630, 632, 634, 636-638, 640, 642-646, 648, 650, 652, 654, 656, 657, 659, 661, 663, 665, 668, 670, 671, 674, 676 and 678) relating to incidents in the sector, including reports of firing on and damage to five observation posts and the Ismailia Control Centre.

53. In a letter dated 1 May (S/9775), the representative of the United Arab Republic stated that during the preceding few days Israeli authorities had embarked upon a campaign of falsification about the so-called increasing involvement of Soviet pilots in the Egyptian air force, with the twofold aim of providing justification for receiving more Phantom jets from the United States and diverting the attention of world public opinion from its persistent aggression and its defiance of the United Nations.

54. In a letter dated 5 May (S/9732), Israel stated that the United Arab Republic had neither denied the facts concerning Soviet military involvement in Egypt, which, it charged, had introduced a new dimension into the regional conflict, nor indicated any change in its policy of hostility towards Israel.

55. By a letter dated 4 May (S/9778), the representative of the United Arab Republic transmitted the text of an appeal addressed on 1 May 1970 to the President of the United States from the President of the United Arab Republic, asking the United States to persuade Israel to withdraw from all the Arab territories occupied in 1967 or, if that was not within its power, to withhold further military, political and economic support from Israel. If the United States was not prepared to make either move, it would be abundantly clear that it agreed to and supported Israel's continued occupation of those lands and the imposition of Israel's will on the Arab States.

56. During the period from 1 May to 15 June, the Secretary-General circulated further supplemental information from the Chief of Staff of UNTSO (S/7930/Add.680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 699, 701, 703, 705, 707, 709, 711, 713, 715, 717, 719, 721, 723, 726, 728, 730, 732, 734 and Corr. 1-2, 735, 737, 739, 741, 743, 745, 749, 752, 754, 755, 757, 759, 760, 762, 764, 766, 768, 770, 772, 774 and 776). The reports indicated that firing incidents had continued with the same intensity as before and that aerial activity had increased. They also indicated that several observation posts had been damaged by firing from both sides and that two of them had to be closed temporarily.

57. On 8 June, the Secretary-General informed (S/9825) the members of the Security Council of a letter he had addressed to the States whose nationals were serving as United Nations military observers in the Suez Canal sector. After declaring that the observers were rendering dedicated and courageous service to the cause of peace through their work with an operation instituted by the Security Council and being maintained to the extent possible in the absence of any contrary action by the Council, the Secretary-General stated that the physical safety of peace-keeping personnel was always a foremost consideration, particularly under the hazardous conditions prevailing in the Suez Canal sector. He drew attention to a statement included in his report of 27 May (S/7930/Add.734) in connexion with the closure of some observation posts that representations and protests concerning firing on or close to United Nations personnel, installations and equipment had been of no avail in reducing the number of such incidents and that, on the contrary, there had recently been an increase in such firings from the United Arab Republic side. Recognizing the difficulties involved in limiting firing in what amounted to a war situation, the Secretary-General, nevertheless, registered his deep concern at the constant and increasing danger to which United Nations personnel were exposed in that sector and his distress that the risks were greater than at any previous time. Because of conditions beyond his control, therefore, the Secretary-General was no longer able to guarantee the physical safety of the men engaged in the observation operation and was painfully aware that in the existing situation, where near-misses were an almost daily occurrence at the observation posts in the Canal, it was something of a miracle that casualties among the observers had not been much higher. The Secretary-General added that he had felt obliged to write frankly on the matter, so that the Governments might be in no doubt as to the situation in which their officers were serving the United Nations.

58. Replies to the Secretary-General's letter were received from Austria, Chile, Finland, Ireland and Sweden.

59. By a letter dated 7 June (S/9826), the representative of Chile expressed his Government's confidence that the Secretary-General would be able to find ways and means of overcoming the difficult situation, in order to ensure, so far as reasonably possible, the safety of the observers, possibly with the urgent assistance of the Security Council.

60. In a letter dated 15 June (S/9857), the representative of Ireland stated that the physical protection of the observers and the preservation of their status were matters of deep concern to his Government. His Government welcomed the assurance that the Secretary-General and the Chief of Staff of UNTSO would continue to take every possible precaution for their safety and trusted that the Secretary-General would receive the full co-operation and support of all concerned in whatever action he might deem appropriate to take in order to reduce the current dangers.

61. In a letter of the same date (S/9845), the representative of Finland stated that the situation underlined once again the need of an urgent new effort for peace in the Middle East. The position of the Finnish Government in this regard had been made clear in the Security Council during its consideration of the situation in the Middle East in May 1970, and

he reaffirmed that position. As to the situation of the United Nations military observers in the Suez Canal sector, whose function was part of the general United Nations effort to maintain peace in the Middle East, the Finnish Government was aware that the Secretary-General was doing whatever could be done for their physical safety.

62. In a letter dated 16 June (S/9840), the representative of Sweden conveyed his Government's belief that it was the Secretary-General's responsibility to take the necessary measures in any given situation to protect the lives of the men who served the United Nations as members of a peace-keeping force or observation group. The growing danger to the safety of the observers in the Suez Canal sector was but a symptom of the deteriorating situation in the Middle East and underlined the vital necessity of achieving a peaceful settlement in accordance with Security Council resolution 242 (1967).

63. In a letter dated 29 June (S/9855), the representative of Austria stated that his Government had full confidence that the Secretary-General and the Chief of Staff of UNTSO would take all appropriate and necessary measures to protect the lives of the men serving as United Nations observers in the Suez Canal sector. Further his Government wished to recall that the cease-fire observation in the Suez Canal sector was being carried out under the authority of the Security Council, which, therefore, must also bear ultimate responsibility for its execution. In that respect, the Austrian Government also wished to express its deep concern about the developments in the Middle East situation and the urgent necessity for achieving a peaceful, political settlement in accordance with Security Council resolution 242 (1967).

3. COMPLAINTS BY ISRAEL AND LEBANON

(a) *Communications to the Council from 16 July 1969-12 August 1969 and reports of the Secretary-General on the observance of the cease-fire and requests for a meeting*

64. In supplemental information dated 17 July 1969 (S/7930/Add.269), the Chief of Staff of UNTSO reported that the Chairman of the Israel-Lebanon Mixed Armistice Commission had received a Lebanese complaint that on 16 July an Israeli patrol had penetrated into Lebanese territory in the area of El-Megidieh, destroying three houses and taking two Lebanese nationals by force into Israeli territory. United Nations military observers investigating the incident stated that two witnesses had confirmed the forced removal of two Lebanese civilians by the Israelis, that there was physical evidence of three houses having been destroyed and fourteen sheep killed, and that one unexploded hand-grenade with Hebrew markings had been found.

65. In a letter dated 11 August (S/9383), Lebanon charged that Israel's jet aircraft had attacked six villages near its southern border with napalm bombs, rockets and machine-guns and that four civilians had been killed and three wounded. By a letter dated 12 August (S/9385), Lebanon requested the convening of an urgent meeting of the Security Council to consider its complaint regarding an Israeli attack on villages in southern Lebanon.

66. In a letter of the same date (S/9387), Israel also requested an urgent meeting of the Council to

consider its complaint about several armed attacks against it from Lebanese territory, charging that in the preceding few months, twenty-one attacks by shelling, firing and mining had been carried out against Israeli localities, during which civilians had been wounded. Israel added that in self-defence it had been compelled to take action on 11 August against irregular terrorist encampments in Lebanese territory.

(b) *Consideration by the Council at the 1498th-1502nd and 1504th meetings (13-15, 18 and 26 August 1969)*

67. At its 1498th meeting, on 13 August 1969, the Council included the complaints by Lebanon (S/9385) and Israel (S/9387) in its agenda, listing them separately under the item "The situation in the Middle East". The representatives of Lebanon and Israel were invited, at their request, to participate in the discussions without the right to vote.

68. The representative of Lebanon stated that an unprovoked attack had been carried out against his country by Israel, charging that on 11 August Israel fighters and bombers had raided six villages in southern Lebanon, using napalm, machine-guns and rockets, killing four civilians and wounding three others. In justification of its attack, he said, Israel had claimed that its action had been taken in retaliation for attacks against Israel from Lebanese territory. If Israel had serious and plausible reasons for complaints, it should have resorted to the United Nations machinery established under the Israel-Lebanon General Armistice Agreement, which continued to be valid and in force. Lebanon had respected its obligations under that Agreement, but Israel had refused constantly to resort to the Mixed Armistice Commission or to permit any investigation to establish the facts. The United Nations had adopted several resolutions condemning Israel's aggression in the past, but Israel, instead of implementing those resolutions, had taken action unilaterally in defiance of international law. Lebanon could not be held responsible for the actions of the Palestinian commandos who were struggling to establish their legitimate rights. As a small and defenceless country, Lebanon relied on the rule of law and on the action which could be taken by the Security Council. After recalling that the Security Council, in its resolution 262 (1968), had issued a solemn warning to Israel that in case of recurrence of acts of violence, the Council would have to consider further steps, the representative of Lebanon urged the Council to take steps as provided in the Charter, including sanctions, and to hold Israel responsible for the damages inflicted against civilian life and property.

69. The representative of Israel stated that, despite the 1967 cease-fire, terrorist operations had continued unabated and that the regular armies of the Arab States had intensified their attacks against Israel. Along with other Arab countries, Lebanon had allowed itself to become a base of terrorist operations against Israel, and the Lebanese Government seemed unable or unwilling to curtail those operations. Israel, which had been subjected to Arab aggression for more than two decades, had had to take action in self-defence, carefully directing the action against the saboteurs' concentrations. In Israel's opinion, Lebanon could not be absolved of its responsibility for the use of its territory by terrorist organizations. It was well known to Lebanon that Israel's aim was to maintain the cease-fire and that the action taken by it was in self-defence.

70. At the 1499th meeting of the Council, on 14 August, the representative of Algeria stated that the flagrant violation of Lebanon's sovereignty by Israeli aircraft was part of Israel's plans to expand and occupy more Arab territories under the pretext of security needs. By its aggression of 11 August against Lebanese territory, Israel had aimed at occupying the region of the Hasbani River, in order to control all the tributaries of the Jordan River. As in previous instances, Israel had again carried out a policy of destruction, compelling the inhabitants to flee their homes, thus making the area ready for colonization. Israel's aggression and its occupation of Arab territories should not hide the deeper reason for the conflict, which was the loss of their homeland by the Palestinian people, who were now undertaking their own struggle. It was up to the United Nations to assume its responsibility in that respect and to settle the problem. For years, the Security Council had adopted resolutions condemning Israel and warning that further acts of aggression would oblige it to take further steps to give effect to its decisions. That warning was included in resolution 262 (1968), when the Security Council had considered the case of an earlier Israeli aggression against Lebanon. In view of the current Israeli air attacks against Lebanon, the time had come to consider those further measures. If the Council were unable to meet its responsibilities in that respect, it would be up to the Palestinians and the other Arab peoples to liberate their own territories.

71. The representative of the Union of Soviet Socialist Republics stated that Israel's latest act of aggression against Lebanon was an expression of its general aggressive policies towards the Arab States and its stubborn refusal to agree to a political settlement of the conflict in the Middle East on the basis of the Security Council resolution 242 (1967). The Security Council had repeatedly condemned Israel for acts of retaliation and had warned that, if those acts were repeated, more effective measures would be taken against it. It was Israel, not Lebanon, that had violated the Armistice Agreement and had thwarted the work of the Israel-Lebanon Mixed Armistice Commission. The acts of Arab partisans were not subversive acts, as Israel had charged, but the legitimate struggle of the Arab peoples against Israeli aggression and occupation of their lands. If Israel really wanted peace in the Near East, it should comply with all the provisions of the Security Council resolution 242 (1967). The Council must strongly condemn Israel for its current acts of aggression, and the Soviet Union was prepared to support any effective measures that it might decide upon to restrain the aggressor and bring about a political settlement in the Middle East on the basis of Security Council resolution 242 of 22 November 1967.

72. The representative of France stated that the new incident on the border of Lebanon illustrated the dangers inherent in the absence of a political solution to the Middle East conflict. Furthermore, acts of reprisal had always been condemned by the United Nations and were contrary to all United Nations resolutions. His Government was particularly concerned, because Lebanon was linked to France by old ties of friendship; and it was also aware that Lebanon had made every effort to avoid the creation of a new source of trouble. His delegation, therefore, considered that acts of reprisal by Israel would only aggravate the situation. As a member of the Security Council, France was making every effort for a lasting peace in the area and was ready to support any measures that might

be helpful in the search for peace. For all those reasons, and bearing in mind the basic objective of the search for peace, France could only deplore all acts of violence of any kind and from any source.

73. The representative of Pakistan stated that the Council was again confronted with a situation resulting from an armed attack by Israel on Lebanese territory during which napalm had been used, resulting in civilian casualties. It might be recalled that Lebanon had not been involved in the 1967 hostilities and that the Israel-Lebanon General Armistice Agreement had existed since 23 March 1949. Moreover, Lebanon had made every effort to insulate its territory from the fighting which was a result of continued Israeli occupation of Arab territories. Bearing that in mind, the Council must take all measures to make Israel desist from attacking Lebanon. In its resolution 262 (1968), the Council had warned Israel that further steps would be considered to give effect to its decisions, if aggression against Lebanon was repeated. In view of Israel's latest attack, the Council must decide upon those measures. Israel's excuse that Lebanon had harboured terrorists was inadmissible, as Lebanon had simply given refuge to Palestinians who had been forcibly evicted from their homes and who had the inherent right to struggle to regain their homeland. There was nothing in the Charter of the United Nations and principles of justice and humanity that required that the Governments of the Arab States should suppress their struggle and thus help Israel to consolidate its illegal possessions. The Council should hold Israel responsible for the damage to civilian life and property and proceed to take effective measures, in accordance with its past decision, to protect Lebanon against a recurrence of attacks against its territory.

74. At the 1500th meeting of the Council, on 14 August, the President appealed to members of the Council, and also to representatives who had been invited to participate in the discussion, to endeavour as far as possible to confine their remarks to the agenda that had been adopted. He also wished to point out that, as President of the Council, he could not allow attacks to be levelled, either directly or indirectly, against the Council's authority and dignity. The Council was one of the principal organs of the United Nations, and Member States had conferred on it primary responsibility for the maintenance of international peace and security and had recognized that the Security Council, in fulfilling its functions, was acting on their behalf.

75. The representative of the United States said that his delegation was concerned not only with the loss of life that had resulted from the recent events in the Middle East but with the fact that the accumulation of such incidents could gradually undermine the hope for a lasting peace in that area. In the United Nations four-Power talks and elsewhere, his Government had been making strenuous diplomatic efforts to support the mission of the Special Representative of the Secretary-General, Ambassador Jarring, to promote a peaceful settlement in accordance with the Council's unanimously adopted resolution 242 (1967). For the success of that mission it was of utmost necessity to establish a favourable atmosphere to which the Council and the parties concerned must make an essential contribution. His delegation realized that the task of the Council was rendered difficult by the absence of United Nations observers who could send impartial reports

on incidents on the Israel-Lebanon border. The United States would suggest, therefore, that the Governments of Israel and Lebanon consider the possibility of stationing UNTSO observers along their border. It hoped that that measure might help to prevent some of the incidents that had led to the situation under discussion. However, whatever might be the reasons for those incidents, the United States could not condone Israel's attack on Lebanon in violation of the cease-fire. At the same time, it could not completely exonerate Lebanon from its responsibility for attacks carried out from its territory. The general deterioration of the cease-fire could not fail to make the Council's task more difficult, and the Council must, therefore, insist on strict observance of the cease-fire.

76. The representative of Senegal stated that his delegation deplored Israel's air attack on civilian villages in Lebanon, a country that was devoted to peace and had shown moderation in the Middle East conflict. Moreover, Senegal was opposed to resorting to violence for the settlement of international disputes. It equally condemned acts of reprisal, which it considered to be in violation of the Charter of the United Nations.

77. The representative of Hungary recalled that the Council had repeatedly condemned Israel's attacks against Arab territories. Israel, which itself had defied the resolutions of the Security Council, always placed the responsibility of observing the cease-fire solely on the Arab States. It was Israel, however, which had been occupying Arab territories and forcing people either to flee or to surrender. Moreover, it was Israel which had so far frustrated all efforts towards a political settlement of the problem. Israel's reference to self-defence was nothing but a cover-up for its own aggression. Hungary would continue to give its full support to a political solution of the Middle East question, which should include the withdrawal of Israel forces from the occupied Arab territories. In consideration of the current cases, the Council must unanimously condemn Israel for its aggressive policy and take effective measures to make Israel abide by Council resolutions 242 (1967) of 22 November 1967 and 262 (1968) of 31 December 1968.

78. At the 1501st meeting of the Council, on 15 August, the representative of the United Kingdom stated that his delegation deplored all violations of the cease-fire. Recalling that his Government had pledged all its help to bring about a settlement on the basis of Council resolution 242 (1967) of 22 November 1967, he stated that constructive thought should be given to means of preventing further incidents, perhaps by the reinforcement of UNTSO. While his Government opposed the use of violence and deplored the actions referred to in the respective complaints of the parties, it considered that the provocation resulting from the attacks about which Israel had complained to the Council could not justify the bombing attacks on southern Lebanon. It regretted the loss of civilian life and was sad to see that the area of conflict had extended to Lebanon, which had been foremost in the pursuit of peace and conciliation.

79. The representative of Finland stated that the essential facts in the case before the Council were not in dispute. Both Israel and Lebanon had an equal obligation to maintain the cease-fire that they had agreed to respect. However, the breaches of the cease-

fire could not be treated in isolation from the realities of the situation in the Middle East. The Secretary-General had repeatedly drawn attention to the dangers of the situation resulting from daily fighting and had also pointed out the unjustified risks to which the unarmed United Nations observers were being subjected. He also stressed that never before had there been such complete and sustained disregard for a cease-fire ordered by the Security Council. If that situation continued, it could break the entire structure of the internationally supervised cease-fire in the Middle East and put an end to efforts to establish peace in the area by international action and through the use of United Nations services. The cease-fire was by its very nature a temporary arrangement. It was the first step towards making peace. As the months went by, the lack of progress towards agreement was bound to strengthen on both sides those who did not believe in the possibility of real peace or did not want it. The Security Council could not, however, afford to despair of a peaceful solution of the conflict. The four major Powers would be continuing their talks, thus acknowledging their special responsibility for preventing the conflict in the Middle East from endangering international peace and security. Similarly, Ambassador Jarring remained ready to renew his efforts to assist the parties to reach agreement in accordance with Security Council resolution 242 (1967) of November 1967. For the success of these efforts the maintenance of the cease-fire was essential. The Secretary-General, in his report of 30 July, had appealed to the members of the Council to do all within their power to influence events in the Middle East, and the Council had now an opportunity to respond to that appeal. The Finnish delegation believed that the Council could best do that by making it clear that no violations of the cease-fire could be condoned or justified and by calling upon the parties to co-operate constructively in the efforts to reach a peaceful settlement.

80. The representative of Nepal stated that the facts concerning the incident before the Council raised the question whether a Government, in the name of self-defence, was justified in launching air attacks on encampments in a foreign State and also whether a Government could claim immunity from responsibility for hostile armed activities carried out from its territory against another State. Nepal considered that no acts of reprisal had any justification; nor could a Government be absolved of its responsibility for attacks from its territory. Nepal felt, however, that the Council should consider the case under discussion in the context of the worsening situation in the Middle East and therefore insist on absolute respect for the cease-fire. The Council must also give its full support to all efforts towards the implementation of resolution 242 (1967).

81. The representative of Lebanon stated that the Armistice Agreement was still valid in law and that it was Israel which had unilaterally nullified it. After pointing out that there had been discussion to provide Israel with a guarantee of security, he stated that consideration must also be given to the security of the Arab Palestinians. The Council, and especially the four big Powers, must not ignore the root of the Palestinian problem and consider the future of the Palestinian people, who were the rightful owners of the land of Palestine. In any event, Israel's attack on villages in southern Lebanon had not been provoked by the Lebanese Government, which was doing every-

thing in its power to promote conditions of peace in the area.

82. The representative of Israel stated that the facts emerging from the debate had clearly shown that irregular forces from Lebanon had attacked civilian populations in Israel, which had found itself compelled to act in self-defence. Lebanon had disclaimed its responsibility for those attacks and its knowledge of the existence of the terror bases in its southern region. However, Lebanese newspapers had published regularly news about those terror organizations and their activities. Lebanon's contention that those activities were the actions of disgruntled refugees from Palestine was unconvincing and could not absolve it of its responsibility to control the activity of terrorist organizations in its territory. There would be complete tranquillity on its border, if Lebanon were to abide scrupulously by the cease-fire.

83. The representative of Zambia stated that the considerations which had guided his delegation in the discussion of the item were his country's friendly relations with both Israel and Lebanon and its conviction that force could not solve any problem. Peace between the two countries was also an essential consideration, and United Nations machinery existed to settle any conflict, provided both parties were prepared to use it instead of resorting to arms. Lebanon had reiterated its adherence to the Armistice Agreement. Israel, instead of resorting to that United Nations body, had acted unilaterally. His country was perturbed that one party to the dispute continued to exercise its policy of reprisals and to hold its neighbours responsible for attacks by Palestinians. With 150,000 refugees on its land, Lebanon was doing everything possible to respond to the United Nations appeal for assistance to Palestine refugees. Zambia felt that the Council should lend its support to the peace-loving countries, so that they could live without fear of attack from their militarily strong neighbours. Israel should be warned to use the existing international machinery instead of resorting to force.

84. In a letter dated 15 August (S/9392) addressed to the President of the Council, Israel charged that on the night of 14-15 August the village of Metullah had been hit by bazooka fire from Lebanese territory and saboteurs had crossed from Lebanon to Israel and had blown up water conduits and an electric pole near the Lebanese frontier.

85. At the 1502nd meeting of the Council, on 18 August, the President drew the Council's attention to a note of the same date by the Secretary-General (S/9393). In that note, the Secretary-General informed the Security Council that on 16 August he had addressed to Israel and Lebanon identical letters on the situation in the Israel-Lebanon sector, which was under discussion in the Council and involved serious breaches of the cease-fire. Because there had been no effective United Nations observation operation in that sector since June 1967, it had not been possible for him to provide the Council with accounts of incidents, including the recent ones under discussion in the Council: and he pointed out that lack of verified information could not but adversely affect the Council's consideration of the question. He therefore had proposed to both Governments that an adequate number of United Nations observers should be stationed on both sides to observe and maintain the Security Council cease-fire, as he believed that that would provide an important deterrent to further incidents. The Secretary-General

added that if replies from both Governments were favourable, he would request the Chief of Staff of UNTSO to consult immediately with the two Governments and to recommend to him the number of additional observers which might be required and other necessary arrangements for their stationing on both sides of the Israel-Lebanon sector.

86. In a letter dated 18 August (S/9393/Add.1), the representative of Lebanon replied that since the Armistice Agreement of 23 March 1949, observers of the Mixed Armistice Commission had been stationed on Lebanese territory enjoying full freedom of operation, and that their status had not been altered by the June 1967 hostilities. Furthermore, the Armistice Agreement, which in Lebanon's opinion remained valid and applicable, contained no provision for unilateral termination of its application and, therefore, could not be revoked unilaterally. The representative of Lebanon added that whereas Israel, for more than two years, had not allowed the United Nations observers to operate on the Israel side of the armistice line, the Government of Lebanon had continued to adhere to the Armistice Agreement and would agree to strengthening its machinery.

87. In a letter dated 25 August (S/9393/Add.2), the representative of Israel replied that his Government's policy rested on reciprocal respect for the cease-fire, which had been disturbed in the Israel-Lebanon sector because terrorist groups operating from bases in Lebanese territory had carried out acts of armed violence in defiance of the cease-fire. Having accepted the cease-fire, Lebanon was responsible for preventing violations from its territory and for restoring the relative quiet previously existing in that sector. Regarding the Secretary-General's proposal for stationing United Nations observers, he stated that inasmuch as Lebanon, in its reply (S/9393/Add.1), had asked that the observers be stationed only within the framework of the 1949 Armistice Agreement, even though international policy since June 1967 had been to move beyond the cease-fire to a permanent peace, Israel found no point in studying the proposal in further detail. However, should Lebanon be willing to accept the proposal as defined in the Secretary-General's letter, the Government of Israel would then submit its views and would be willing to work for the effective reinforcement of the cease-fire in the Israel-Lebanon sector.

88. At the 1502nd meeting also, the representative of Colombia expressed his delegation's feeling that the current incidents on the Israel-Lebanon border had diminished the possibilities of conciliation. His Government felt that a policy of reprisal was contrary to international norms and ethics. It was also painful because it involved the loss of lives of innocent persons. Violations of the cease-fire should be censured, regardless of their origin or reasons, and his delegation was ready to consider any measures that might be proposed to prevent the recurrence of similar events.

89. The representative of Paraguay stated that the events reported to the Council reflected the extension of the border clashes to an area which had, until then, been free of them. The Council's concern should be, first to restore calm in that area and, then, to renew its efforts for a lasting peace. That could be done through resolution 242 (1967) of 22 November 1967. However, the strict observance of the cease-fire was a basic condition. Israel and Lebanon should consider

seriously the Secretary-General's proposal that United Nations observers be stationed on both sides of the border.

90. The representative of China stated that it was unfortunate that over two years had passed since the 1967 war without the restoration of peace to the Middle East. In fact, the situation had deteriorated, as the Secretary-General had indicated in his special report of 21 April 1969 (S/9171) on the ineffectiveness of the cease-fire in the Suez Canal sector. The state of active warfare had now spread to a country which had not participated in the June 1967 war and which had shown moderation and restraint. Therefore, his delegation considered that the Israel air attack on Lebanon, taken as a retaliatory action, was contrary to the Charter. The Council must take measures to prevent further deterioration of the situation, and his delegation welcomed the proposal of the Secretary-General that United Nations observers be stationed in the Israel-Lebanon sector.

91. The President, speaking as the representative of Spain, said that Israel's aggression against Lebanon on the pretext of self-defence was unjustified and deserved condemnation. To try to place preventive war and reprisal within the framework of self-defence was contrary to the Charter of the United Nations. Furthermore, Lebanon had complied with its international obligations and with the 1949 Armistice Agreement. His delegation considered that as long as the Security Council resolution 242 (1967) remained unimplemented, there would always be a risk of incidents. Therefore, the Council must meet its responsibilities by adopting a resolution condemning Israel's premeditated attack against Lebanon and issuing a warning against a recurrence of those attacks.

92. At the 1504th meeting, on 26 August, the President announced that as a result of intensive consultation among Council members, agreement had been reached on the text of the following draft resolution:

"The Security Council,

"Having considered the agenda contained in document S/Agenda/1498/Rev.1,

"Having noted the contents of the letter of the Chargé d'affaires ad interim of Lebanon (S/9383),

"Having heard the statements of the representatives of Lebanon and Israel,

"Grieved at the tragic loss of civilian life and property,

"Gravely concerned about the deteriorating situation resulting from the violation of Security Council resolutions,

"Recalling the General Armistice Agreement between Israel and Lebanon of 23 March 1949 and the cease-fire established pursuant to resolution 233 (1967) and 234 (1967) of 6 and 7 June 1967, respectively,

"Recalling its resolution 262 (1968) of 31 December 1968,

"Mindful of its responsibility under the relevant provisions of the Charter of the United Nations,

"1. Condemns the premeditated air attack by Israel on villages in southern Lebanon in violation of its obligations under the Charter and Security Council resolutions;

"2. Deplores all violent incidents in violation of the cease-fire;

"3. Deplores the extension of the area of fighting;

"4. Declares that such actions of military reprisal and other grave violations of the cease-fire cannot be tolerated and that the Security Council would have to consider further and more effective steps as envisaged in the Charter to ensure against repetition of such acts."

Decision: At the 1504th meeting, on 26 August 1969, the draft resolution was adopted unanimously as resolution 270 (1969).

93. Following the vote, the representative of the United Kingdom stated that his Government wished to reaffirm its support of the Secretary-General's proposal to station United Nations observers on both sides of the Lebanon-Israel border. Every outbreak of violence and every reprisal represented a setback to the efforts to achieve a just and lasting peace. The deteriorating situation could be stopped not by exhortation or condemnation but by making the lasting settlement proposed in Security Council resolution 242 (1967) a reality.

94. The representative of the United States stated that his delegation had voted for the resolution in the interest of ending the violence impeding the work for peace in the Middle East. In his delegation's view the resolution lacked balance; nevertheless, it clearly established the Council's disapproval of all cease-fire violations, regardless of origin. The resolution had, therefore, referred not only to acts of military reprisals by one of the parties but to violent incursions made across the frontier from the territory of the other party. He added that the United States did not consider that the reference to the Israel-Lebanon Armistice Agreement prejudiced the position of the parties, who held conflicting views regarding its status and continued validity.

95. The representative of Colombia stated that his delegation had voted for the draft resolution because it condemned any act of reprisal and believed that cease-fire violations, carried out by regular or irregular forces, were contrary to the interests of peace and needed to be condemned.

96. The representative of Finland stated that only by acting unanimously, as it had just done, could the Council make its influence felt. The Council also had made it clear that it could neither ignore nor condone violations of the cease-fire, regardless of whether they were committed by regular Israel forces or by irregular forces crossing the cease-fire line; therefore its decision should strengthen respect for the cease-fire. A major step towards preventing recurrence of violence in the area would be the acceptance by the parties of the Secretary-General's proposals to place United Nations observers in the area.

97. The representative of Paraguay stated that, in the opinion of his delegation, paragraph 2 and the expression "other grave violations of the cease-fire" contained in paragraph 4 should be clarified because of possible differences of interpretation in the future.

98. The representative of Paraguay stated that, in the opinion of his delegation, the responsibilities of respecting truce, armistice or cease-fire agreements had been defined in past resolutions adopted by the Council, and any breach of those responsibilities applied to all violations and deserved equal condemnation. For that reason, operative paragraph 2 should have included

condemnation of all violations particularly with regard to its link to the preambular paragraphs.

99. The representative of Algeria stated that his delegation would have wished the Council to go beyond the warning it had issued in its resolution 262 (1968) and take measures to give effect to its decisions. It must be stated that the present resolution was directed solely to Israel and the interpretations given to it subsequently would remain alien to that resolution. Also attempts had been made to question the struggle of the Palestine liberation movement. This meant denying the Palestinians their legitimate right to struggle for their self-determination.

100. The representative of Pakistan said that his delegation had consistently maintained that any assertion by Israel of the so-called right of reprisal was contrary to the Charter of the United Nations and to international law. His delegation had supported the resolution, but it reserved its position on paragraph 2, because as it had stated previously, it did not consider that the alleged sporadic acts of terrorism were to be equated with the large-scale military attacks by Israel against the Arab countries.

101. The representative of the Union of Soviet Socialist Republics said that the resolution just adopted by the Council constituted a further moral and political defeat for Israel, whose guilt was not denied even by those delegations which had tried to place the aggressor's acts on the same level as the legitimate liberation struggle of the Arab peoples. The aggressive policies of Israel and its rejection of a political settlement in the Middle East on the basis of the Security Council resolution 242 (1967) were a threat to international peace.

(c) Communications to the Council from 3 September 1969 to 12 May 1970 and requests for a meeting

102. In letters dated 3 and 5 September, 6 October and 4 December 1969 (S/9429, S/9433, S/9465 and S/9530), Lebanon charged that its southern villages had been bombed and shelled by Israeli jet aircraft, resulting in casualties and damage and that on 3 October an Israeli helicopter-borne force had landed in a village inside Lebanese territory and had kidnapped three civilians and wounded four others.

103. In letters dated 5 September, 10 October and 15 December 1969 (S/9431, S/9470 and S/9556), Israel charged that villages on its border near Lebanon had been subjected to increasingly frequent attacks from Lebanese territory, in which rockets, mortars, bazookas and small arms had been employed, and that those attacks had resulted in casualties and property damage. It also charged that infiltrators had planted mines and abducted Israeli citizens.

104. In letters dated 3, 9 and 26 January 1970 (S/9590, S/9597 and S/9617), Lebanon complained of air attacks carried out by Israeli jet aircraft against several villages located in southern Lebanon. By a letter dated 12 January (S/9599), the representative of Lebanon transmitted the text of a note addressed on 10 January by Lebanon to the Governments of the four permanent members of the Security Council. The note stated that increasing acts of aggression had been accompanied by public threats by Israeli leaders against the security and territorial integrity of Lebanon. The violence was being directed against the civilian population and was no longer even based on the pretext of reprisals for acts by members of the Palestinian resistance movement for which Lebanon could not be held responsible.

105. The presence and activities of Palestinians in Lebanese territory were the direct result of the aggressive policy of Israel, which had provoked their exodus and which refused to comply with the decisions of the United Nations. Recalling that it had made specific denunciations of Israel's aggressions on each occasion to the Security Council, Lebanon added that, in placing the matter before the four Powers, which had special responsibilities in the Council, it was invoking not only its own legitimate interests but the elementary conditions of life for civilized mankind.

106. In letters dated 5 and 15 January (S/9593 and S/9604), Israel further charged that villages on its border area near Lebanon had been subjected to increasingly frequent attacks from Lebanese territory in which rockets, mortars, bazookas and small arms had been employed, resulting in casualties and damage to properties. After referring to Lebanon's letters of 9 and 12 January (S/9597 and S/9599), Israel stated that Lebanon was attempting to evade its responsibility for the increasing tension caused by continued aggression from Lebanese territory, which was serving as a base for the training of terrorist organizations. Those attacks appeared to have been carried out with the Lebanese Government's approval, in conformity with an agreement concluded in Cairo on 3 November 1969 between the Government of Lebanon and the terrorist organizations. Lebanon had permitted those organizations to operate in and from its territory, and in those circumstances it could not shirk its responsibility for the deterioration of the border situation. Israel was obliged to take defensive measures for the protection of its territory and its population.

107. In letters dated 27 February, 4 and 10 March (S/9670, S/9678 and S/9691), Israel again charged that attacks against it from Lebanon had continued unabated and that Israel had to take action in self-defence. In letters dated 28 February and 7 March (S/9672, S/9683), Lebanon charged that its southern villages had been shelled by Israeli artillery and that Israeli forces had crossed the border to destroy civilian property and kidnap Lebanese civilians.

108. In a letter dated 17 March (S/9711), the representative of Lebanon stated that between the hours of 2 and 3 p.m. on the preceding day, Israeli artillery had shelled the heights situated between Rachayya-A-Fakhar and Kafrahnam and had repeated that following day its attacks against other villages in southern Lebanon. Israel had carried out those attacks in violation of the Armistice Agreement, which constituted a breach of international law.

109. By a letter dated 18 March (S/9713), the representative of Lebanon, after referring to the charges contained in his letter of 17 March, transmitted to the Council the text of a statement issued on 18 March by his Government, drawing attention to Israeli propaganda attempts, consisting of accusations and threats, to lead international opinion to view its violence against Lebanon as necessary acts of reprisal because of the presence and activity of the Palestinians. If the Palestinian refugees in Lebanon had become combatants struggling for their homeland, the statement continued, it was because Israel had always refused to implement the United Nations resolutions concerning their right to return to Palestine. Israel had also refused to implement other United Nations resolutions adopted before and after the hostilities of 5 June 1967. To restore peace in the area it was essential that Israel

should carry out its obligations under those resolutions and international law.

110. In a letter dated 25 March (S/9722), Israel stated that Lebanon, instead of recognizing its obligations as a Member of the United Nations, had served notice that it would support warfare against Israel, in violation of the Security Council cease-fire. Whatever Lebanon's internal situation might be, that should not affect its international obligation to prevent the use of its territory as a base of aggression. Israel could not leave its territory and its citizens undefended, and it was incumbent upon Lebanon to abide by its obligations under the Security Council cease-fire.

111. In a letter dated 10 May (S/9790), Israel charged that a series of attacks against it had been carried out recently from Lebanese territory. The letter supplied details of a number of attacks between 22 April and 10 May and stated that eight civilian and military personnel had been killed and seventeen wounded and that there had been considerable damage to property. As those attacks had been made from Lebanese territory, Israel held Lebanon responsible for those cease-fire violations and reserved its right to act in self-defence.

112. By a letter dated 12 May (S/9794), the representative of Lebanon requested an urgent meeting of the Security Council to consider a grave situation endangering the peace and security of Lebanon and the area. He charged that early that morning Israel armed forces had launched an invasion of southern Lebanon, penetrating its territory with armoured and infantry units and bombarding towns and villages by air force and artillery, in flagrant violation of the Lebanon-Israel Armistice Agreement and the provisions of the Charter.

113. In a letter of the same date (S/9795), the representative of Israel also requested an urgent meeting of the Security Council to consider attacks from Lebanese territory against its towns and villages, in violation of the Charter, adding that particulars of those attacks had been communicated previously to the Security Council.

(d) Consideration by the Council at the 1537th to 1542nd meetings (12-15 and 19 May 1970)

114. At the 1537th meeting, on 12 May, the provisional agenda, listing the letters of Lebanon and Israel (S/9794 and S/9795) under separate headings, was adopted. The representatives of Lebanon and Israel, and subsequently Morocco and Saudi Arabia, were invited, at their request, to participate in the debate without the right to vote.

115. At the same meeting, the Secretary-General stated that he had been informed by the Chief of Staff of UNTSO that the Acting Chairman of the Israel-Lebanon Mixed Armistice Commission had been informed by the Lebanese delegation that Israeli forces had launched an attack early that day on Lebanese territory in the general area of Mount Hermon. The Acting Chairman had also reported receiving information that the senior Israeli representative had stated in a telephone conversation with a Lebanese representative to the Commission that the current Israeli action in the El-Arkoub area was aimed at the destruction of *fedayeen* commandos and that it was not the intention of Israeli forces to act against the Lebanese army or population, provided that they did not support the *fedayeen*. The Secretary-General added that it was

understood that, at the time of the above report, Israel ground forces, supported by artillery and air force, had reached El Khraibe and that action was continuing. The Secretary-General recalled his long but unsuccessful effort to increase substantially the number of United Nations observers on both sides of the border. His failure was one of the reasons for his lack of detailed information about the current action in the area.

116. The representative of Lebanon said that at 4.45 a.m. on 12 May, Israeli ground and air forces and heavy artillery had attacked three districts in southern Lebanon, aiming their attacks at the civilian population and at the defensive positions of the Lebanese army, causing vast destruction of property and loss of life. Israel's current aggression had been preceded by threats in the past few months, in particular, a threat to turn southern Lebanon into an area of desolation comparable to that of the Suez Canal zone. He further charged that, since its attack on Beirut airport in December 1968, Israel had carried out numerous attacks against Lebanon. In its resolution 262 (1968), the Council had issued a solemn warning to Israel that if those acts were to be repeated the Council would have to consider further steps to give effect to its decisions. The Lebanese Government that day had delivered to the Ambassadors of France, the USSR, the United Kingdom and the United States a note in which it placed on Israel full responsibility for the current acts of aggression on Lebanese territory and requested the Security Council, particularly its four permanent members, not only to condemn Israel but to find sufficient reason to impose on it respect for international law and the Charter. It would not be sufficient, the Lebanese representative continued, to adopt a resolution condemning Israel. In addition to a strong condemnation of Israel and the application of Chapter VII of the United Nations Charter, it was necessary to take positive action to secure the immediate withdrawal of all Israeli troops from Lebanese territory.

117. The representative of Israel stated that he had requested an urgent meeting of the Security Council to consider the armed attacks carried out from Lebanese territory against his country and its population. Israel had repeatedly drawn the Security Council's attention to the intensification of aggression from Lebanon. Since 1 April, there had been sixty-one acts of aggression against twenty-two Israeli villages and towns. Israel had called upon Lebanon to comply with its cease-fire obligations and also had asked organs of the United Nations and Member States to apprise Lebanon of the gravity of the situation. The acts of aggression, however, had not ended. On the contrary, they had grown in number, compelling Israel to act in self-defence. Its action on 12 May was directed solely against the concentration of terrorist organizations in south-east Lebanon, east of the Hasbani River. Israeli forces, whose mission was to comb the area of the terrorist squads, would leave the area on completion of their mission. Under the cease-fire and the United Nations Charter, Lebanon was responsible for armed attacks carried out from its territory against Israel and that responsibility was particularly evident in the light of the official agreements between Lebanon and the irregular forces operating from its territory against Israel. The representative of Israel stated that he had just receive a *communiqué* from his Government declaring that the military operation had been concluded

and that Israeli forces were deploying to leave the area.

118. The representative of Spain then proposed a draft resolution (S/9800) as an interim measure and asked that it be put to vote during the meeting. Other representatives took the view that the draft resolution should be put to the vote immediately. The draft resolution, which was supported by Zambia, read as follows:

"The Security Council

"Demands the immediate withdrawal of all Israeli armed forces from Lebanese territory."

119. The proposal to proceed immediately to vote on the Spanish draft resolution received 7 votes to 2, with 6 abstentions, and having failed to receive the required majority, it was not adopted.

120. The representative of Israel said that the draft resolution proposed by Spain was clearly divorced from reality. It would be unfortunate if the Council should then vote and adopt a draft resolution which was marked by an absence of equity and fail to recognize the facts of the situation.

121. The representative of Spain reiterated that the draft resolution was only an interim measure submitted in view of the seriousness of the situation. Israel had acted in violation of Article 2, paragraph 4, of the Charter, which enjoined all Members to refrain from the threat of use of force against the territorial integrity of any State. His delegation had introduced the draft because a principle of the Charter had been violated, without prejudice to whatever further action the Council might decide to take.

122. The representative of the United States then proposed an amendment which would add the following phrase at the end of the draft resolution: "and an immediate cessation of all military operations in the area".

123. The representative of the Union of Soviet Socialist Republics proposed a sub-amendment to the amendment of the United States to add the words: "and stopping of Israeli aggression against Lebanon".

Decisions: At the 1537th meeting, on 12 May 1970, the USSR sub-amendment was rejected by 3 votes to none, with 12 abstentions. The United States amendment was rejected by 2 votes to none, with 13 abstentions. The draft resolution submitted by Spain (S/9800) was adopted unanimously as resolution 279 (1970).

124. At the 1538th meeting of the Council on 12 May, the representative of Morocco stated that, despite the warning given to Israel in the Council's previous resolutions, and despite the fact that the consequences of its action had been explained to Israel by some major Powers, that State had deemed it fit to attack Lebanon and had issued a challenge to both the Council and the major Powers. In that respect, Israel seemed to have been encouraged by certain international circumstances which insured its impunity. Israel, at the same time, had been trying to provoke, in Lebanon, disturbances and conflict between Palestinians and the Lebanese Government. Those attempts had not been productive, because the Palestinians had reached an understanding with the Government of Lebanon to exercise their rights. The Council had already adopted a resolution asking Israel to withdraw its troops. That was intended to put a stop to Israel's aggression. However, according to all information avail-

able to his delegation, the Israeli troops had not yet withdrawn. In that connexion, the Council was under an obligation to see that its resolutions were fully implemented, that aggression was not only stopped and condemned but that it did not recur. The Council must take effective action to achieve those aims and in that respect it should go beyond the present events and examine their long-range political implications.

125. The representative of Lebanon said that according to a communication he had just received from Beirut, Israel's forces had not shown any indication of withdrawing, as the representative of Israel had claimed. He said that his Government was grateful for the prompt action of the Council and that it was then for the Council to ascertain whether the Israeli troops were withdrawing as the resolution had demanded. Referring to the Secretary-General's proposal to station observers on both sides of the border, he said that Lebanon had agreed to strengthening the Armistice machinery but that Israel had refused for the last two-and-a-half years to allow observers to be stationed on its side of the border.

126. The representative of Saudi Arabia said that the case before the Council was one of aggression by proxy. By its action, Israel had wanted the Arab States to suppress the Palestinians; but no Arab State would ever be able to suppress a people fighting for its homeland and establishing its right to self-determination, a right which he was glad to note was increasingly being recognized by the youth of Israel.

127. The representative of Israel said that his delegation had taken note of the fact that the Council had adopted a one-sided text that ignored the facts. The Council had refused to call for a cessation of all military operations in the area. He then said that the Israeli troops had stayed on Lebanese soil in order to avoid any shooting incidents at night.

128. The representative of Syria said that the Israeli representatives had claimed that the Israeli troops had not been able to withdraw because of the dark. However, the dark had not prevented the Israelis from attacking Lebanon. Israel must abide by the decision of the Security Council, otherwise the Council, acting under Article 40 of the Charter, would have to take account of Israel's failure to comply with the provisional measures. The representative of Syria then said that his delegation would appreciate it if the Secretary-General would communicate to the Council any reports which he might have received from UNTSO about the current situation in the area.

129. At the 1539th meeting of the Council, on 13 May, the Secretary-General stated that, because of the lack of adequate means of observation on both sides of the Israel-Lebanon sector, the acting Chief of Staff of UNTSO had been able to provide only limited information about military activities in the area. The Secretary-General also expressed his regret that he had not yet received any information from the acting Chief of Staff on the implementation of Security Council resolution 279 (1970), explaining that verification of reports was not possible in the absence of direct means of observation.

130. At the same meeting, a communication dated 13 May (S/9801), containing a statement by the Prime Minister of Israel, was read out.

131. After acknowledging receipt of the text of resolution 279 (1970), it stated that the Israeli operation, which had been carried out according to plan,

had been concluded and that Israeli forces were deploying to leave the area. The forces involved in that defensive action had returned to their bases, and Israel continued to hold Lebanon responsible for all acts perpetrated from its territory.

132. The representative of the United Kingdom said that he had not hesitated on the previous day to agree with the demand for withdrawal of Israeli troops from an action which he could not possibly condone. However, the perpetration and intensification of conflict had made it urgent to find a way out of the current situation, and it was therefore time to redouble the efforts to bring about peace and justice in the area on the basis of resolution 242 (1967). His delegation hoped that the Big Four would be able to report to the Secretary-General soon, enabling the Secretary-General to ask his representative, Ambassador Jarring, to resume his consultations with the parties in the area.

133. The representative of Sierra Leone said that his delegation was satisfied to hear the news of the withdrawal of Israeli troops from Lebanon. It could not condone the new attack on Lebanon, which had twice been the victim of attacks within the last two years. He hoped that the Council would continue its work towards peaceful conciliation and that the Big Four would resume their efforts for a speedy solution of the problem.

134. The representative of the Union of Soviet Socialist Republics stated that Israel aggression against Lebanon with American-made aircraft and scorched-earth and bombardment tactics was against all norms of international law and in defiance of the Security Council warnings which had twice been given to Israel. Instead of complying with resolution 242 (1967), Israel had continued its refusal to withdraw its troops from occupied Arab territories. Israel had committed its new aggression on the pretext of fighting Arab patriots and resisters. However, if Israel were to withdraw from all the occupied Arab territories, the question of resistance movement and guerrilla struggle would come to an end. Israel's new aggression had been strengthened by continuation of deliveries to it of the most modern American weapons and by official promises of future arms. It was no coincidence that during the discussion of that question in the Security Council, a parallel had been drawn between the Middle East and South-East Asia, where United States aggression had intensified, since Israel was striving to conduct that same policy of aggression and increase tension in the Middle East. However, world public opinion was decidedly against Israeli aggression, and the vote in the Council on resolution 279 (1970) had indicated that Israel must realize that its future lay in good-neighbourly relations with the Arab States and not in fighting them. The Soviet Union was firmly in favour of a lasting peace in the Middle East on the basis of resolution 242 (1967), and the only road to a peaceful settlement was the withdrawal of the aggressor from all occupied territories. The Security Council must also condemn Israel for its new act of aggression and must take further and more effective measures to call a halt to that aggression.

135. The representative of Finland said that violent incidents had been occurring daily in the Middle East to which the Security Council had responded only by recording them. It was currently meeting to consider a complaint of a large-scale incursion by Israel armed forces into Lebanese territory. It was indeed gratifying to see that the Council had unanimously adopted a

resolution demanding the withdrawal of all Israeli forces from Lebanese territory. Condemnation of acts of violence in itself served nothing. The Council, however, had dealt with the symptom rather than the core of the problem. The latest Israeli raid had illustrated the breakdown of the international arrangements established in 1967 for cease-fire and for making peace. Consequently, the impact of Security Council resolution 242 (1967) the implementation of which formed the natural second stage after the cease-fire, was itself in danger of fading. To progress towards peace his Government had always supported the four-Power talks, because no genuine settlement on the conflict was possible unless it was backed by some measure of agreement among the permanent members of the Council. It was essential that the four Powers and the parties themselves should make a new effort to reverse the trend towards increasing violence and set in motion a process leading to a just and lasting peace in the area. The only effective way to put an end to those kinds of attacks and all acts of violence in the Middle East was to work for a comprehensive political settlement of the conflict.

136. The representative of Syria said that, while the attack on Lebanon by Israel was under consideration, it might be recalled that the General Assembly, under its resolutions 2535 (XXIV) and 2546 (XXIV), had given special responsibility to the Security Council. In its resolution 2535 (XXIV), the General Assembly, after drawing the Council's attention to the grave situation resulting from Israeli practices and policies in occupied territories, had requested the Council to take effective measures in accordance with the relevant provisions of the Charter. In its resolution 2546 (XXIV), it had condemned Israeli policies and practices of collective and area punishment. The Council, therefore, must not miss the current opportunity to affirm the rule of law and to take effective measures against aggression.

137. The representative of Lebanon stated that Israel had claimed that its armed forces could not withdraw at night. However, at 3.30 a.m., that is, during the night, the Israelis were still bombing villages in southern Lebanon, and it had been confirmed that the Israeli air force had bombed and shelled Lebanon military positions and civilian centres during the night.

138. At the 1540th meeting, on 14 May, the representative of Zambia reminded the Council that his delegation had earlier condemned Israel's policy of punitive reprisals, which represented a disregard of the authority of the Council and established dangerous precedents. The new Israeli attack on Lebanese territory was a grave violation of the cease-fire and a further impediment to peace efforts. In spite of those efforts, there had been no progress towards a settlement. Since the four Powers had assumed the special responsibility of helping to promote a settlement, the situation had visibly deteriorated. His Government would urge the four Powers to make a serious and deliberate effort to achieve a settlement and to help Ambassador Jarring to resume his duties.

139. The representative of Poland stated that his delegation's vote for the Spanish draft resolution—as a provisional measure dictated by the urgency of the development of the situation—was a clear indication of its condemnation of Israel's act of invasion against Lebanon. Israel's invasion was one of the links in the chain of aggression committed by Israel every day in the Middle East. The Council had heard Israel term

its act a "clearing-out operation to rid the area of terrorists". That made the analogy between the Israeli invasion of Lebanon and the American invasion of Cambodia obvious. Both from the point of view of the substance of the item and of its international implications, the Council was duty bound to take energetic and effective measures to condemn the aggression of Israel and to put an end to its geographic and qualitative expansion. The discussion had to touch the fundamental principle of the inadmissibility of the occupation by force of foreign territory as well as the implementation of resolution 242 (1967). Poland maintained its support of a peaceful settlement and continued to believe that the primary condition for such a settlement was the withdrawal of Israeli troops from all the Arab territories occupied after June 1967 and an end to the acts of aggression of Israel.

140. The representative of the United States said that a number of charges had been made with regard to starting the Middle East war. However, a large share of that responsibility would rest with Syria, which also had refused to accept Security Council resolution 242 (1967). The Council had met again because that situation had been further exacerbated. There had been more *fedayeen* attacks from Lebanon against Israel, and Israel had mounted a major military operation into Lebanon to end those attacks. His Government could not but oppose all acts of violence across frontiers in violation of the cease-fire from any source, and it believed that the only way to end the violence was to make an all-out effort to bring about a peaceful political settlement of the conflict, starting with cessation of the cycle of attack and counter-attack and a restoration of an effective cease-fire on the Lebanese-Israeli border. That could be done with the help of United Nations observers. The United States Government supported the Secretary-General's earlier suggestion to station observers in adequate number on both sides of the border between Israel and Lebanon and would urge that consultations should be renewed between the parties and the Secretary-General to that end. The United States continued to attach very great importance to Lebanon's independence and territorial integrity and could not condone any threat to its integrity from any source. At the same time, it supported Israel's independence and territorial integrity. It would use its influence with the parties to the conflict to reduce violence and tensions. In search for a lasting settlement in accordance with resolution 242 (1967), his Government believed that all the parties should re-examine their attitudes towards what sort of peaceful settlement they were prepared to accept and should know that there could be no peace in the area until each of the parties concerned was prepared to abandon his maximum demands and agree to compromise solutions that served the interests of all. His Secretary of State and other United States spokesmen had stated that the United States supported the principle of withdrawal of Israeli forces from territories occupied in June 1967, in accordance with Security Council resolution 242 (1967), and contrary to statements made earlier by the representative of the USSR was fully committed to the principle of the inadmissibility of the acquisition of territory by war. The United States, as a party to the bilateral and four-Power negotiations, had shown willingness to accept suggestions of others on many points not identical to its own. The United States had exercised restraint by deciding not to respond favourably to Israel's request for addi-

tional aircraft and had hoped that such actions would inspire similar actions by the USSR. Instead the USSR had continued to move additional and more advanced weapons into the area and had introduced a large number of its own military personnel directly into the area of conflict. The United States would make an appeal to the Soviet Union, Israel and its Arab neighbours, and to the Palestine Arabs, to join with it in a redoubled effort to bring about a just settlement of all the problems of the Middle East.

141. The representative of Burundi stated that his delegation could not condone Israel's policy of disproportionate reprisals, because the policy of conquest and infinite extension of war could not guarantee peace. His delegation could not but offer its sympathy and feelings to the victims of aggression and reiterate the demand that Israel should withdraw its troops.

142. The representative of Nepal said that his delegation, which had given its full support to the Council's demand for immediate withdrawal of Israeli troops, had received with satisfaction the Israeli declaration that its forces had been withdrawn from Lebanese territory. At the same time that it welcomed that news, the Nepalese delegation could not but express its strong disapproval of the action of a Member State in mounting a large-scale military incursion inside the territory of another Member State on the grounds of military reprisal. The Security Council had condemned punitive actions on several occasions. However, condemnation would, in itself, achieve nothing, and the Council should avoid running the risk of losing track of its goal set forth in the Security Council resolution 242 (1967). Under the circumstances, all members of the Council should support and encourage the process of reconciliation and peace, through the continuing talks between the four permanent members of the Council. In that respect his delegation was encouraged to learn that some definite proposals on certain vital aspects of the problem had been submitted and that the parties concerned had defined more precisely their position on those questions. His delegation also hoped that the Special Representative of the Secretary-General, Ambassador Jarring, would soon be able to resume his mission.

143. The representative of Israel stated that he wished to inform the Council that a unit of irregular forces had penetrated from across the Lebanese border and had attacked the village of Manara with bazooka fire. The fire had been returned, and four of the attackers had been killed. He added that during the night before the village of Kfar Blum had been attacked by Katyusha rockets from two Lebanese villages and that early that day irregular forces had attacked an Israeli border patrol. These were the acts of hostilities, said the representative of Israel, that had compelled his Government to take action in the defence of its citizens and territory.

144. The representative of Nicaragua said that the willingness of Israel to comply with resolution 279 (1970) was a hopeful first step towards negotiations and agreement. The Council had heard charges and countercharges of violations of international law. It was obvious that, if the situation was not normalized, it might result in a serious threat to international peace and security. It was also clear that partial solution could not contribute to the establishment of a lasting peace in the region. Therefore it was necessary that the resolution that the Council might adopt should urge

the parties to resort to the means established by international law for the peaceful settlement of disputes.

145. The representative of Lebanon stated that in the area that Israel had occupied in its last military action, three Lebanese civilians and seven soldiers had been killed and three civilians and eighteen soldiers had been injured. There had also been considerable loss of property. It was clear that Israel's armed attack had not been directed against the Palestine freedom-fighters, as Israel had claimed, but against Lebanon itself, a State-Member of the United Nations.

146. At the same meeting, a communication from the Secretary-General stated that the Acting Chairman of the Israel-Lebanon Mixed Armistice Commission had informed him that the complete withdrawal of the Israeli forces from Lebanon had been officially confirmed by the Lebanese authorities and that the official time of the withdrawal of Israeli forces was given as 1030 hours GMT on 13 May.

147. The representative of Syria stated that the United States representative had mentioned that Syria had rejected resolution 242 (1967). However, in that respect, he would like to recall that there were cease-fire resolutions 235 and 236 (1967), which had been unanimously adopted by the Council long before resolution 242 (1967) had been adopted. Israel had disregarded those two cease-fire resolutions, with the help of the United Kingdom and the United States, and had been able to occupy the Syrian territory of the Golan Heights and still controlled it. Moreover, Israel, according to a statement of its Minister of Defence, had rejected resolution 242 (1967), and many of Israel's responsible personalities had reiterated Israel's intention to keep the occupied territories. Many reports received from General Bull, Chief of Staff of UNTSO, had made it clear that Israel had initiated attacks and had violated the cease-fire. There had been many united resolutions condemning Israel for violating human rights in the occupied territories, as well as reports on that problem by Amnesty International and by the International Committee of the Red Cross.

148. The representative of the Union of Soviet Socialist Republics said that if the United States was in favour of the total withdrawal of Israeli troops from Arab territories, then that would provide the basis for reaching agreement. However, the question of so-called rectifications of frontier, referred to by the United States representative would give Israel *carte blanche* to demand frontier alterations, whereas resolution 242 (1967), had explicitly asked for the withdrawal of Israeli troops from occupied Arab territories. If agreement were reached by the four Powers on that key question of settlement—on immediate and unconditional withdrawal of Israeli troops from all occupied Arab territories—agreement could then be reached on other outstanding questions and a Middle East settlement could be worked out in a kind of package deal. The Soviet Union was in favour of the continuation of consultations between the four Powers, on the basis of Security Council resolution 242 (1967). Although the United States representative had tried to make out that the United States was opposed to the supply of arms to countries in the Middle East and that the Soviet Union was continuing arms deliveries, the fact was that the United States had not stopped supplying Israel with arms—which, under the terms of previous contracts, were flowing in abundance from the United States to Israel. That constituted direct assistance by the United States of America to the aggressor, support

of his aggression and encouragement for Israel to undertake new adventures. The Soviet Union, for its part, was assisting the victims of aggression—namely the Arab States, part of whose territory had been seized by Israel. The United States proposal to stop arms deliveries before the achievement of a political settlement in the Middle East was designed to disarm the victims of aggression and leave the Arabs defenceless in the face of the military superiority of Israel, which was over-supplied with arms from the United States.

149. The representative of Israel said that the few casualties mentioned by the representative of Lebanon as a result of Israeli defensive actions had, in fact, been members of the terrorist organizations who had not laid down their arms in response to Israeli appeals. The structures demolished, which amounted to sixteen camps and bases, had been structures used by the irregular forces. Those forces had themselves issued press releases stating that they had been the target of the attack.

150. At the 1541st meeting, on 15 May, the representative of Colombia said that, in the case before it, the Council should look beyond the immediate conflict to consider stable solutions, because the interim measures could not, by themselves, eliminate the real cause of the conflict. The measures taken by the Council in the past had not been complied with, and despite efforts by the Secretary-General and by the four Powers, the six-day war, which had been prolonged to three years, threatened to spread both in time and space. His delegation, therefore, would suggest that the proposal of Brazil to set up an *ad hoc* committee should be considered in that respect, concurrently with the four-Power talks. A three-member Council committee could be created to take note of the efforts at negotiations made by the Secretary-General and could be given access to the political formulae of the great Powers to submit them to the Council in a series of proposed solutions to all aspects of the Middle East question.

151. The representative of Spain said that he was gratified at Israel's compliance with resolution 279 (1970) and recalled that in August 1969 the Council had had to meet to consider Lebanon's complaint because of the shelling of its villages by Israeli armed forces. Israel had submitted charges of armed attacks by Palestinian guerrillas against its territory. Spain deplored all violations of the cease-fire resolution, which often resulted in the loss of innocent lives. It might, however, be recalled that cease-fire resolutions were essentially of a temporary nature. It had been hoped that resolution 242 (1967) would be implemented without much delay, in order to give the Security Council time to prepare plans for a final solution. However, two and a half years had elapsed, and all efforts to implement it had so far failed. It was well known that the non-permanent members of the Council had been deeply concerned at the lack of progress in the four-Power talks. His delegation hoped that there would be some progress on those talks and that the Secretary-General's Special Representative, Ambassador Jarring, would be allowed to resume his mission. The main cause of the current situation had been the lack of compliance with resolution 242 (1967). It was deplorable that an important decision of the Council remained unimplemented and that territories taken by force had not been vacated.

152. The representative of China said that his delegation had deplored the policy of retaliation, especially

in the case under discussion, when it was directed against a country that had played a moderating role in the problem of the Middle East. After expressing his satisfaction at the withdrawal of Israel's troops from Lebanon in compliance with the Council's resolution 279 (1970), he urged the Council to look beyond the current conflict and to search for a final settlement. He pointed out that the situation was deteriorating very fast and that efforts to reach a peaceful settlement had not yet succeeded. He appealed to the parties concerned for compromise and conciliation and expressed his hope that it would be possible for the Secretary-General's Special Representative, Ambassador Jarring, to continue his consultations.

153. The President of the Council, speaking as the representative of France, said that the unanimously adopted resolution 279 (1970) was not a one-sided resolution but an expression of the collective will. The Council should continue to strive to bring similar agreement among its members which alone could help it in fulfilling the task entrusted to it. After referring to the military action against Lebanon, the representative of France stated that his country could not remain indifferent to what affected Lebanon's independence, sovereignty and integrity and, therefore, it considered Israel's intervention inadmissible, not only because it had been contrary to the Charter but also because it had escalated the conflict, making it more difficult to achieve a peaceful settlement. Expressing his delegation's satisfaction at the withdrawal of Israel's troops from Lebanon, he said that there was then a greater need for finding a political solution to the Middle East situation. His country was not among those who had resigned themselves to the prolongation of the Middle East war. What needed to be overcome was the atrocious fact of history which had pitted people against each other when they should have been brought together by every possible tie of a community of suffering, humiliation and destruction. France believed that Israel had the right to exist and to secure guaranteed frontiers, but those frontiers could not be the frontiers of occupation and annexation. Israel, which owed its existence to the United Nations, must undertake unreservedly to apply resolution 242 (1967). That would be a great step towards settlement of the Palestinian problem. In that respect, the efforts of the Special Representative of the Secretary-General, Ambassador Jarring, had not been futile, and the statements in the current debate had shown a large measure of agreement. His delegation hoped that discussion of the Lebanese complaint would advance the efforts that were being made at all levels to find a peaceful solution of the Middle East situation.

154. At the 1542nd meeting, on 19 May, the representative of Morocco said that on behalf of the Arab representatives to the United Nations he wished to submit an important statement to the Council. The Council would recall that the question of the supplying of weapons to Israel by the United States had been at the very heart of the Middle East situation. Many parties concerned had reiterated the gravity of such a step. The President of the United States himself had decided to suspend part of Israel's request for planes. However, the conditions surrounding that decision had caused concern and anxiety because the question had been left open. There were, unfortunately, indications that the decision was now being reconsidered. As the Council was considering Israel's use of weapons to attack Lebanon, he, on behalf of the Arab delegations,

wished to draw the attention of the Council to the serious and inevitable consequences that might result from such a decision. The strengthening of Israel's military power would necessarily compel the Arab countries to take into account the feelings and demands of their own people.

155. At the same meeting, the representative of Zambia stated that, as a result of consultations among members of the Council, a draft resolution (S/9807), reflecting to a large extent the views expressed in those consultations, had emerged, which he was submitting to the Council as follows:

"The Security Council,

"Having considered the agenda contained in document S/Agenda/1537,

"Having noted the contents of the letters of the Permanent Representative of Lebanon (S/9794) and of the Permanent Representative of Israel (S/9795),

"Having heard the statements of the representatives of Lebanon and of Israel,

"Gravely concerned about the deteriorating situation resulting from violations of resolutions of the Security Council,

"Recalling its resolutions 262 (1968) of 31 December 1968 and 270 (1969) of 26 August 1969,

"Convinced that the Israeli military attack against Lebanon was premeditated and of a large scale and carefully planned in nature,

"Recalling its resolution 279 (1970) of 12 May 1970 demanding the immediate withdrawal of all Israeli armed forces from Lebanese territory,

"1. Deplores the failure of Israel to abide by resolutions 262 (1968) and 270 (1969);

"2. Condemns Israel for its premeditated military action in violation of its obligations under the Charter of the United Nations;

"3. Declares that such armed attacks can no longer be tolerated and repeats its solemn warning to Israel that, if they were to be repeated, the Security Council would, in accordance with resolution 262 (1968) and the present resolution, consider taking adequate and effective steps or measures in accordance with the relevant Articles of the Charter to implement its resolutions;

"4. Deplores the loss of life and damage to property inflicted as a result of violations of resolutions of the Security Council."

156. The representative of Colombia stated that his delegation would abstain on the draft resolution submitted by the representative of Zambia. His delegation would have preferred to have a more balanced text which, while censuring the Israeli military action, should have issued a warning against frontier operations by Palestinian guerrillas. However, it was abstaining because it believed that the text of the draft resolution before the Council would not advance the cause of peace, as it did not incorporate any new ideas.

157. The representative of the Union of Soviet Socialist Republics said that the initial proposals in the consultations among the members of the Council had aimed at an unambiguous condemnation of Israel's action against Lebanon and the adoption of effective measures under Chapter VII of the Charter. However, through the efforts of certain delegations, those important provisions had been eliminated from the draft resolution. None the less, the final text, which provided

condemnation of Israel's attack and a warning of further effective measures if such an attack were repeated, might play a positive part in sobering the aggressor.

Decision: *At the 1542nd meeting, on 19 May 1970, the draft resolution was adopted by 11 votes to none, with 4 abstentions (Colombia, Nicaragua, Sierra Leone and United States of America), as resolution 280 (1970).*

158. After the vote, the representative of Finland said that the Council, while condemning Israel's armed attack against Lebanon, remained gravely concerned about all violations of Security Council resolutions. Furthermore, the members of the Council had expressed deep concern about the continuing deterioration of the situation and the Council's inability to come to grips with the problem. The parties to the conflict themselves had a primary responsibility to co-operate fully in any effort to set in motion the process of making peace. The debate of the last days in the Council demonstrated the strong hope of the members of the Council that the four Powers would intensify their efforts in order to facilitate and expedite the implementation of resolution 242 (1967) and to enable the Special Representative to resume at an early date his activities designed to promote agreement and assist in efforts to achieve a peaceful and accepted settlement.

159. The representative of the United Kingdom said that his delegation had always been prepared to condemn the escalation of violence, but they had not been prepared to vote for a draft resolution that could be considered one-sided. The Council had to take into account violations of Council resolutions, regardless of their source. It was regrettable that the Council had not been able to say anything in agreement about the future, because the aim of achieving a settlement must always be kept in mind. In that respect, the four-Power talks should not be frustrated but encouraged to proceed with all speed and with a greater sense of conciliation and urgency.

160. The representative of Syria said that, although his delegation had voted for the resolution just adopted by the Council, it wished to make it clear that the text had fallen short of what had been considered necessary to meet the situation. In his delegation's opinion, the resolution should have contained a reference to Chapter VII of the Charter. That had been omitted because it had been said that the Council would be unable to implement a decision based on Chapter VII. According to his delegation, such a view of the Council's incapacity would tend to undermine its authority for ever. Nevertheless, his delegation would interpret paragraph 3 to mean that the Council's next step would be under Chapter VII.

161. The representative of the United States, after reiterating his country's support for Lebanon's independence and territorial integrity, said that it condemned massive and disproportionate attacks such as that carried out by Israel against Lebanon on 12 May. His delegation, however, could not overlook the serious provocations from Lebanese territory that had preceded the attack, and it believed that the resolution just adopted was still unbalanced, not having taken sufficient account of the repeated cease-fire violations from Lebanese territory that had resulted in numerous civilian casualties. His delegation's abstention from the vote should not be construed as equating those provocations with Israel's response. His delegation

had abstained because it believed that adoption of a one-sided resolution would not be helpful to efforts to bring about a lasting settlement in accordance with resolution 242 (1967), all the provisions of which must be implemented without reservation.

162. The representative of Sierra Leone said that his delegation had great sympathy and respect for Lebanon and, although he had supported resolution 279 (1970), requesting Israel to withdraw its forces from Lebanese territory, he did not believe that the current resolution would facilitate the cause of peace. Its stipulations had already been expressed in the Council's previous resolutions 262 (1968) and 270 (1969). Moreover, peace in the Middle East would not be achieved by piecemeal measures. The important thing was to settle the fundamental issues permanently and as a whole.

163. The representative of Poland pointed out that Israel had chosen in the past to ignore resolutions 262 (1968) and 270 (1969), by which the Council had twice condemned its premeditated military attacks and warned that should they be repeated, the Council would have to consider more effective steps as envisaged in the Charter in order to enforce its decisions and to prevent such acts in the future. The latest defiance of Israel should not be tolerated by the Council. Any effort to preserve the "balanced approach" towards the aggressor and the victim of aggression could lead to further aggravation of the situation. Appropriate measures, in accordance with the provisions under Chapter VII, must be taken to make the aggressor feel the impact of the Council's condemnation of and curb its aggressive activities.

164. The representative of Israel said that the resolution had confined itself to his country's defensive action and had failed to mention the acts of aggression committed against Israel from Lebanese territory. By that double standard, the resolution appeared to undermine further the Council's ability to deal with the Middle East question equitably and constructively.

165. The representative of Lebanon said that his delegation would have liked the Council to adopt a stronger and unanimous resolution. The Council appeared reluctant to invoke Chapter VII of the Charter, thus allowing the aggressor to find sanctuary for its actions.

(e) Communications to the Council from 22 May to 15 June 1970

166. In a letter dated 22 May (S/9810), Israel stated that on that day a terrorist squad from Lebanon had ambushed a school bus transporting children from villages along the northern frontier of Israel, resulting in the death of seven children and two adults and wounding twenty-three children. In a letter of the same date (S/9811), Lebanon charged that Israeli artillery had begun a massive shelling that morning of four villages in south-eastern Lebanon, killing twenty persons and wounding forty. The letter stated that it was unprecedented for a State to claim the right of reprisal not only against the victims of its aggression but against the civilian population of a country in which they had taken refuge. Responsibility for the presence and activities of part of the Palestinian people in Lebanon rested, in the first instance, on Israel for its refusal to abide by United Nations resolutions and international law, and, in the second instance, on those members of the international community which had

so far failed to take the necessary steps to ensure the implementation of those resolutions.

167. In a further letter dated 5 June (S/9822), Lebanon maintained that Israel had been deliberately and systematically continuing its aggression against Lebanon in violation of the Council's resolutions 262 (1968) and 280 (1970), the Charter, the Armistice Agreement and international law, as was evidenced by the daily crossing into Lebanese territory of Israeli tanks, half tracks and armoured vehicles, the shelling of civilian centres and military targets and other specific incidents. As a result, the letter stated, 50,000 persons had been forced to seek refuge in other areas of Lebanon, and Lebanon believed that Israel was following a calculated plan aimed at occupying large sectors on the Syrian-Lebanese borders, using as a pretext the allegation that its forces were pursuing commandos.

168. In a letter dated 12 June (S/9834), Israel stated that it regretted that Lebanon was trying to complicate the situation on the Israel-Lebanon border still further by describing it in a false and tendentious way. Israel's policy, the letter added, rested upon respect for Lebanon's political independence and territorial integrity and non-intervention in its internal affairs; on negotiation and agreement on a final Israel-Lebanon peace settlement on the existing territorial basis; on scrupulous maintenance by both sides of the 1967 cease-fire; on a basis of reciprocity which included the unequivocal responsibility of the Lebanese Government to prevent armed attacks from its territory against Israel; and on the right of self-defence against attack by all appropriate means.

4. COMPLAINTS BY ISRAEL AND SYRIA

Communications to the Council and reports of the Secretary-General on the observance of the cease-fire from 16 July 1969 to 15 June 1970

169. In supplemental information dated 31 July, 1 and 4 August 1969 (S/7030/Add.291, 293, 297), the Chief of Staff of UNTSO reported that aircraft of the MIG-19 and MIG-21 type had that day attacked Israeli forces positions on Mount Hermon and that a few minutes later Israeli Mirage aircraft had crossed the cease-fire lines. Observers reported also exchange of artillery and machine-gun fire.

170. In a letter dated 1 August (S/9371) Syria charged that on 30 July six Israeli aircraft had bombed Syrian positions and that a complaint about the attack had been submitted to the Israeli-Syrian Armistice Commission.

171. In a letter dated 6 August (S/9379), Israel referred to the Syrian letter of 1 August (S/9371) and stated that in recent weeks Syria had increased its acts of aggression along the cease-fire line and had also pledged itself to wage a war of attrition. Israel therefore had been compelled to take self-defence measures.

172. In a letter dated 8 August (S/9381), the representative of Syria stated that the official Israeli statements, as quoted by the news media and a report by *The New York Times* on 4 August 1969, indicated that Israel had made a firm decision to retain most of the area occupied by it in 1967, including the Golan Heights.

173. In a letter dated 19 August (S/9398), Israel charged that saboteurs from Syrian territory had

crossed the cease-fire line and had fired bazooka shells in the direction of a United Nations observation post. It added that, during that attack, Captain H. W. J. Leask, a United Nations military observer, had been injured by glass splinters and that two United Nations vehicles had been damaged.

174. In the period from 19 August to the end of December 1969, the Secretary-General circulated a number of supplemental information reports on incidents in the Israel-Syria sector received from the Chief of Staff of UNTSO (S/7930/Add.312, 315, 318, 320, 329, 347, 403, 412, 424, 432, 447, 449, 451, 453, 455, 456, 464, 467, 469 and 471). In general, the reports related to occasions when observers had seen aerial activity involving Israeli Mirage jets and Syrian MIG-21 jets, exchanges of small-arms and machine-gun fire and crossings of the cease-fire line. Towards the end of the year the reports indicated the use of mortar and tank fire and occasionally noted minor damage to United Nations observation posts.

175. In a letter dated 1 October (S/9459), Syria charged that Israel was deliberately pursuing the demolition of Syrian villages and the colonization of Arab lands with intensive settlement. The letter stated that between 18 September 1968 and 13 July 1969, Israeli authorities had demolished no less than seventeen new Syrian villages in the occupied Golan Heights. A listing of the names and locations of Israeli settlements built on the ruins of those villages was annexed to the letter. Another annex contained excerpts from an article published by the *Christian Science Monitor* on 23 September concerning reported Israeli settlements in the Golan Heights.

176. During the months of January and February 1970, the Secretary-General circulated additional supplemental information on the Israel-Syria sector from the Chief of Staff of UNTSO (S/7930/Add.482, 488, 491, 492, 499, 501, 503, 505, 507, 509, 511, 517, 519, 521, 524, 527, 529, 531, 533, 535, 544, 545, 547, 549, 553, 556, 558, 565 and 568). Those reports indicated intensification of firing incidents and, in particular, increased aerial activity. There were also reports of occasional firing close to the United Nations observation posts and minor damage to United Nations installations.

177. In a letter dated 2 February (S/9634), Israel stated that Syria was intensifying its aggression. It charged that more than sixty armed attacks had been carried out by Syrian forces in violation of the cease-fire during January and stated that the attacks employing mortars, rockets, artillery and bazookas, were continuing, as were mining raids and air overflights. In a further letter dated 11 February (S/9646), Israel stated that Syria's Minister of the Interior and his country's chief delegate to the Rabat Conference had stated at that Conference on 19 December that "there was no alternative to armed struggle" and that "all Arab States participating in the Conference should place all their economic, political and military capabilities in the service of that objective". Israel added that that policy was translated into action through the continued initiation by Syrian regular forces of armed attacks against Israel and through the Syrian Government's support for, and participation in, the terrorist warfare pursued by irregular forces.

178. In a letter dated 9 February (S/9643), Syria drew the attention of the Secretary-General to the continuation and intensification of aggression by Israeli

regular armed forces against it and added that, contrary to Israeli allegations in its letter of 2 February (S/9634), Israeli forces had begun in January a campaign of terror against Syrian villages, population and cities. The letter further charged that Israeli military aircraft had flown over Syrian cities, producing supersonic boom and terrorizing the population.

179. During the period from 1 March to 15 June, the Secretary-General circulated supplemental information from the Chief of Staff on incidents in the Israel-Syria sector (S/7930/Add.571, 574, 576, 578, 580, 582, 584, 586, 588, 590, 594, 596, 599, 601, 603, 607, 609, 612, 616, 618, 620, 623, 625, 627, 629, 631, 633, 635, 639, 641, 647, 649, 651, 653, 655, 658, 660, 662, 664, 666, 667, 669, 672, 673, 675, 677, 679, 681, 683, 685, 687, 689, 691, 693, 695, 697, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 725, 727, 729, 731, 733, 736, 738, 740, 742, 744, 746, 747, 748, 750, 751, 753, 756, 758, 761, 763, 765, 767, 769, 771, 773 and 775). The communications continued to report that incidents involving the use of artillery, tank, mortar and rocket fire were taking place on an almost daily basis and that aerial activity had increased.

180. In a letter dated 16 March (S/9706), Israel charged that Syrian aggression was continuing and that armed attacks by regular and irregular forces from Syrian territory had intensified in recent days, causing loss of life and damage. Since the beginning of 1970, the letter added, there had been 148 Syrian attacks and, in the preceding four days, those attacks had resulted in the death of three Israeli soldiers and the wounding of twelve. In a further letter dated 30 March (S/9727), Israel charged that on 23 March Syrian armed forces had crossed the cease-fire line and clashed with Israeli forces. Eight of the attackers had been killed, and their bodies had been returned to Syria through the International Red Cross. The letter also stated that on 27 March the Syrian regular army had carried out another attack on an Israeli military position during which one Israeli soldier had been killed and another wounded.

181. In a letter dated 3 April (S/9736), Syria charged that Israeli air force and army units had attacked Syria and that Syrian air force and ground army units had had to take action in self-defence. Sixteen Syrian soldiers had been killed and thirty-seven others wounded as a consequence of that attack. Israeli forces had also attacked Syrian towns and villages, killing a number of civilians, including women and children, and destroying a number of houses. The letter added that Israel's violations of the cease-fire from 1 January until 18 March totalled 1,045.

182. In a letter dated 6 April (S/9739), Israel stated that its defence action on 2 April was aimed at Syrian military targets and that its objective was to thwart Syria's aggressive actions, which had intensified in recent weeks, as had been reported in its letters of 11 February and 16 and 30 March.

183. In a letter dated 5 June (S/9823), Syria, referring to its letter of 9 February (S/9643) regarding the annexation by Israel of occupied Syrian territory, stated that, according to the Jewish Telegraphic Agency on 1 June, Israel had approved a \$48 million five-year plan to expand Israeli settlement in the Golan Heights. That new manifestation of Israeli illegal military occupation, the letter added, violated Security Council resolutions 235 (1967) and 236 (1967), the

Charter, the Geneva Convention of 1949 and all of the General Assembly's humanitarian resolutions. The situation again was attributed to the support Israel continued to receive from the United States Government.

B. Question concerning the treatment of civilian populations in Israel-occupied territories and related matters

184. During the period covered by this report, the Security Council received a number of communications from Arab countries concerning the treatment of civilian populations and prisoners of war in territories occupied by Israel and the replies sent by Israel.

185. In a letter dated 26 September 1969 (S/9456), Jordan complained that the people of Al-Khalil (Hebron) and Beit Sahur had been subjected to intimidation, economic strangulation, arbitrary arrest and torture. The Israeli Army had spoiled goods in stores, deported people to the East Bank, blown up houses and imposed a curfew for twenty-two hours a day.

186. Israel replied on 7 October (S/9466) that, after a series of acts of sabotage in the areas of Al-Khalil (Hebron) and Beit Sahur, causing the death of several civilians, Israeli authorities had been compelled to take preventive and police measures to ensure the safety of the population.

187. By a letter dated 15 October (S/9474), the United Arab Republic charged that one of its citizens who was a member of the staff of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, had been subjected to illegal arrest and arbitrary trial in disregard of the immunities enjoyed by officials of the United Nations.

188. In a reply dated 17 October (S/9478), Israel stated that the person in question had been duly tried and convicted for several security offences falling outside her official duties and that the Court had dismissed as inapplicable the contention that she was immune from prosecution under the Convention on Privileges and Immunities of the United Nations.

189. In three communications dated 10, 21 and 25 November (S/9501, S/9507 and S/9511), the representative of Jordan transmitted the texts of articles published in the *London Times* and *Sunday Times* concerning the treatment of civilian populations in Israeli-held territories, which, he said, showed the intensification of measures of collective punishment inflicted by Israel on innocent civilians. He also transmitted the texts of some "letters to the editor" published by the *Times* on the same subject. Israel replied by transmitting on 18 November (S/9506) the texts of other "letters to the editor" appearing in the same newspaper on the treatment of civilian populations and on 19 December the text of a letter addressed to the *Sunday Times* from the Embassy of Israel in London (S/9575).

190. In communications dated 23 and 30 January, 6 and 9 February 1970 (S/9614, S/9639, S/9629 and S/9642), Syria charged and Israel denied that two Syrian pilots had been ill-treated while imprisoned in Israel. Syria complained that the ill-treatment, which was in violation of the Geneva Convention on the Treatment of War Prisoners, had taken place between the visits by representatives of the International Red Cross in

territories occupied by Israel. It quoted excerpts from a published letter of the Secretary-General of Amnesty International and from General Assembly resolution 2456 (XXIV) to support its charges. Syria further charged that Israel had refused to permit the representatives of the Secretary-General to visit the occupied areas in pursuance of Security Council resolutions 237 (1967) and 259 (1968). It had also refused to allow a visit by the Special Working Group of Experts established by the Commission on Human Rights to investigate violations of human rights in occupied territories or by the three-member Committee established under General Assembly resolution 2443 (XXIII). Israel, for its part, denied the charges of ill-treatment and stated that the conditions of detention of the two Syrian pilots were in full accord with the provisions of the above-mentioned Geneva Convention. The Syrian charges were an attempt to divert attention from the situation created by membership in the Security Council of a Government which persisted in violating provisions of the Charter. With regard to visits to Israeli-held territories by a representative of the Secretary-General, the Special Working Group of Experts or the three-member Committee, Israel stated that it had no objection to visits by such representatives provided they also investigated the question of oppression of Jews by Arab régimes.

191. In a letter dated 9 June (S/9832 and S/9833), Israel noted a statement by the Foreign Minister of Somalia to the effect that his country considered itself at war with Israel and pointed out that Somalia was one of three members of the United Nations Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Population of the Occupied Territories established under General Assembly resolution 2443 (XXIII). Another member of that Committee was Yugoslavia, which had broken relations with Israel and openly identified itself with the political positions of the Arab States. It also noted (S/9841) a declaration on 14 June by the Prime Minister of Ceylon, announcing that diplomatic and other relations with Israel would be suspended until the settlement of the conflict between Israel and the Arab countries. The Foreign Minister of Israel had stated the following day that Ceylon's decision encouraged all the extremist factors that were rendering peace in the Middle East more distant. Israel asserted that the three-member Committee, which was composed of three States inimical to Israel, had been functioning as a tool of Arab propaganda since its illegal establishment during the twenty-third session of the General Assembly and that its activities were devoid of all moral or legal validity.

C. Communications concerning the situation in and around Jerusalem and its Holy Places

(a) Communications to the Security Council concerning the fire in the Al Aqsa Mosque in Jerusalem

192. In a letter dated 21 August 1969 and addressed to the President of the Security Council (S/9401), Jordan stated that at 7.20 that morning fire had broken out in the Al Aqsa Mosque, lasting for more than three hours and causing complete destruction of the southern part of the ceiling and the twelfth-century pulpit and severe damage to the walls. The letter added that Jordan held Israeli authorities respon-

sible, as that act had taken place when the Holy City and all the Western Bank were under Israeli military occupation. Jordan asked the Security Council for effective measures against Israeli authorities who had failed to show any regard for the United Nations resolutions concerning Jerusalem.

193. In letters dated 22, 23, 25, 26, 27, 28, 29 August and 2 September the representatives of Morocco, Libya, Mauritania, Pakistan, India, Syria, Somalia, Saudi Arabia, the USSR and Maldives (S/9404, S/9402, S/9412, S/9409, S/9413, S/9415, S/9418, S/9422, S/9426 and S/9435), respectively, expressed the shock and grief felt by the people and Government of their respective countries at the fire in the Al Aqsa Mosque.

194. By a letter dated 12 September (S/9447), the representative of Jordan forwarded to the Security Council the texts of seventeen communications by heads of States and officials of Governments and the texts of fifty-eight other communications conveying world-wide shock and dismay at the burning of the Al Aqsa Mosque.

(b) Request for a meeting of the Council

195. In a communication dated 22 August addressed to the Secretary-General (S/9407), the representatives of Afghanistan, Algeria, Guinea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Morocco, Pakistan, Saudi Arabia, Somalia, Southern Yemen, Sudan, Syria, Tunisia, Turkey, the United Arab Republic and Yemen drew the attention of the Members of the United Nations to the grave event of 21 August 1969 in Jerusalem, when the Al Aqsa Mosque, one of the holiest shrines of Islam, had been extensively damaged by arson. They added that the occurrence of that outrage while Jerusalem was under the military occupation of Israeli authorities had filled the population of their countries with profound horror and grief. After stating that the occurrence of such events aggravated further the threat to peace, they emphasized the urgency of suitable action by the United Nations towards (a) instituting an impartial investigation into the grave events resulting in fire; (b) preventing the recurrence of any act of vandalism of the Holy Places in Jerusalem; and (c) enabling the representatives of Governments of Islamic countries to assess the damage to the Al Aqsa Mosque and to prepare and execute plans for its repairs.

196. Pursuant to the above communication, the representatives of Afghanistan, Algeria, Guinea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Morocco, Niger, Pakistan, Saudi Arabia, Somalia, Southern Yemen, Sudan, Syria, Tunisia, Turkey, the United Arab Republic and Yemen, in a letter dated 28 August addressed to the President of the Security Council (S/9421 and Add.1 and 2), requested the convening of an urgent meeting of the Security Council "to consider the grievous situation resulting from the extensive damage caused by arson to the Holy Al Aqsa Mosque in Jerusalem".

(c) Consideration by the Council at the 1507th to 1512th meetings (9-15 September 1969)

197. At the 1507th meeting, on 9 September 1969, the Security Council included the above request in its agenda. The President, with the consent of the Council, invited the representatives of Indonesia, Israel and the

United Arab Republic, at their request, to participate in the discussion without the right to vote. At subsequent meetings, similar invitations to participate without vote were extended to the representatives of Ceylon, India, Jordan, Malaysia, Saudi Arabia and Somalia.

198. At the same meeting, the representative of Pakistan stated that never before had the Council considered a question which transcended the conflict of national interests and constituted a set-back for human civilization itself. In considering the item, therefore, the Council could not but view it in the perspective of civilization as a whole. The confidence that vandalism against the monuments of human spirit had become unthinkable was shattered on 21 August when, under the military occupation of Israel, the Holy Al Aqsa Mosque had been damaged by arson. Although the intention of submitting the question of the fire in Al Aqsa to the Council was not to prejudge the issue of criminal responsibility or imply the complicity of Israeli authorities in that act, it could not be denied that the environment produced by Israel's military occupation of the Holy City had provided an element of encouragement to those responsible for the crime. But for Israel's military occupation, carried out in defiance of the Security Council and the General Assembly resolutions, it was inconceivable that conditions would have prevailed permitting such an act.

199. After giving a brief account of the historical and religious importance of the Holy City of Jerusalem to Moslems all over the world, the representative of Pakistan stated that, in considering the incident of 21 August, the Security Council would recall that the United Nations Charter did not allow acquisition of territory by force and that that principle was specially applicable to Israel, whose very establishment was founded on a resolution of the United Nations. The withdrawal of Israeli control from the Old City of Jerusalem was imperative, if the conflict in the Middle East was not to be allowed to become uncontrollable. That conflict was already grave, and the addition to it of a conflict involving the cherished sensibilities of vast populations from all parts of the world would make it limitless in its repercussions. Although the signatories of the two communications to the Security Council (S/9407, S/9421) covered a wide range of nations and peoples with different geographical locations and foreign policies, they were, however, all united on the proposition that Jerusalem should not be annexed by Israel. That stand was in accordance with Security Council resolutions 252 (1968) and 267 (1969), which had confirmed that all legislative and administrative measures taken by Israel to alter the status of Jerusalem were invalid.

200. Taking into consideration the above resolutions and the repercussions felt throughout the world, particularly in the Islamic communities, the Council's response to the outrage of 21 August must be to take urgent measures to prevent any recurrence of that event. Those measures should not be limited only to the Holy Places, because they formed an integral part of the City of Jerusalem and their sacred character could not be preserved for any length of time if Jerusalem itself continued to remain under military occupation. Security Council's action must, therefore, be directed towards releasing Jerusalem from its current agony.

201. The representative of the United Arab Republic stated that the crime perpetrated against Al

Aqsa Mosque on 21 August had caused shock and grief throughout the world, as Al Aqsa, being one of the most sacred shrines of Islam, formed part of the spiritual and cultural heritage of humanity. The widespread repercussions of that act had aggravated further the threat to international peace and security.

202. The sacrilege of the Al Aqsa Mosque also demonstrated the duplicity of the Israeli pronouncements. During previous consideration of the question of the status of Jerusalem, the representative of Israel had stated at the Council's 1482nd meeting, on 30 June 1969, that his Government had drawn plans for the preservation of Jerusalem's historical monuments and religious shrines. In view of later developments, Jordan's warning about the ominous aspects of Israel's so-called plans had become all too justified. Already, Israel had taken measures against a number of public buildings, including a mosque, a religious court and a Moslem school, alleging that they were threats to public security. Because of its policy and attitude to Arab Jerusalem and its holy shrines, Israel must be held responsible for the act that took place on 21 August against the Al Aqsa Mosque.

203. Israel had been carrying out its policy of destroying Arab houses of long standing religious learning and education for a long time, and parallel to that was a campaign of official and unofficial pronouncements with the avowed purpose of erecting the Temple of Mount at the site of the Al Aqsa Mosque.

204. The offence committed against the Al Aqsa Mosque was another addition to Israel's series of offences against peace and humanity, which included the denial of the inalienable rights of the Arab people of Palestine and a policy of resorting to force to further its expansionist aims as had been done in 1948, 1956 and 1967. Instead of withdrawing from the territories it had occupied by force, Israel had made their annexation its official policy, as could be testified by many official statements, including that of its Defence Minister and that of the ruling party in Israel. Moreover, that policy of annexation was not confined to mere verbal declarations. Plans had been drawn and put into effect to establish new settlements in Israeli-occupied areas. Israel also had committed gross violations of the 1949 Geneva Convention concerning the civilian population of those territories. Its oppressive measures included the arrest, detention, torture, dispossession and expulsion of Arab civilians from their homes and the deportation of their leaders.

205. Israel also had continued its defiance of Security Council and General Assembly resolutions on the question of the status of Jerusalem. For that reason, the burning of Al Aqsa could not be treated in isolation. It was inherently linked to the continued Israeli occupation of Jerusalem and the various measures taken by that State in defiance of United Nations resolutions. It was obvious, therefore, that there would be no safety as long as the Israeli occupation of Jerusalem continued. Moreover, Israel's policy of occupying Arab territories by force and its refusal to withdraw from those territories had created a situation fraught with grave dangers for international peace and security. In the light of such a situation it was imperative that all Member States should repel aggression and bring the aggressor back into the realm of international authority. Any assistance, military or economic, given to Israel would only abet the aggressor. It was therefore necessary that more effective measures, including applica-

tion of sanctions, should be taken by the Security Council to bring about full implementation of the United Nations resolutions, the restoration of the rights of the Arab people of Palestine and the complete termination of Israeli aggression.

206. The representative of Indonesia stated that the people of his country had been shocked on receiving news of the fire at the Al Aqsa Mosque. In a telegram to the Secretary-General and the President of the Security Council, the Indonesian delegation had already requested measures to establish an impartial investigation, to prevent recurrence of the 21 August event and to enable representatives of the Government of Islamic countries to assess the damage and to prepare plans for the repair of the Mosque.

207. The Indonesian Government was ready to take an active part in the rebuilding of the Al Aqsa Mosque and had donated one million rupiahs for that purpose. In addition, voluntary contributions had been made for reconstruction of the Mosque. That spontaneous help by the Indonesian people was symbolic of the feeling of solidarity for the cause of Palestinian Moslems who still lived in the shadow of continued war and misery. It could not but be emphasized again that the fire at Al Aqsa could not be separated from the military occupation of Jerusalem, which had been repeatedly deplored and condemned by the Security Council, more recently, in its resolutions 252 (1968) and 267 (1969). In defiance of those resolutions, Israel had carried out certain measures in Jerusalem, and the Council had also heard charges of acts of demolition and desecration. The extent of those charges could not be determined because Israel had refused to allow the special representative of the Secretary-General to make an impartial survey of the situation. In the light of that situation, it was all the more necessary that the Security Council should take immediate steps to have its resolutions concerning Jerusalem fully implemented.

208. The representative of Israel stated that his Government shared the sense of shock at the damage caused to the Al Aqsa Mosque and had promised already that its swift repair would be carried out as soon as possible. However, all decent public opinion had been revolted at the false accounts of that tragic occurrence and its deliberate exploitation for political purposes. His delegation believed that a number of the Moslem States requesting Security Council consideration of the matter had done so only out of genuine concern for a Moslem holy place, without any desire to increase tension.

209. As in the case of natural calamity, when the inherent understanding of human beings for each other's distress came to the fore, there were elements of precisely the same understanding in the case of the fire on 21 August 1969 in the Al Aqsa Mosque. Both Arabs and Jews had striven side by side to overcome the fire. Arab-Jewish co-operation continued in efforts to apprehend the person responsible for the fire, and the official inquiry into the circumstances of the fire was being conducted by a commission composed of Arab and Jewish personalities, before which Arab and Jewish witnesses were appearing in an endeavour to ascertain the facts.

210. The representative of Israel then gave an account of the events of 21 August, when the fire at the Al Aqsa took place. He said that the Prime Minister of

Israel and the Israeli Cabinet, which had met urgently in a special session, had issued statements expressing deep regret at the outbreak of fire in the Holy Mosque and the readiness of the Government of Israel to give all aid and co-operation necessary for the repair and restoration of those parts of the building that had been damaged. The official communications also expressed revulsion at the efforts to attribute to Israeli culpability for causing the fire. The President of the Supreme Court of Israel had appointed a commission of inquiry. A preliminary investigation made by Arab engineers had indicated arson.

211. On 22 August, an Australian visitor, Michael Rohan had been arrested by the Israeli police on the basis of evidence submitted by the Moslem guards at the Al Aqsa Mosque, and formal charges had been filed against him.

212. The representative of Israel then stated that those were the facts that the Israel Government wished to put before the Council. Its own reaction had been summed up in his Foreign Minister's statement of 24 August, in which he had said that the Al Aqsa was a part of the universal culture and, as a result of damage to it, that a part of the human legacy had been injured and that everything must be done to restore it as far as possible to its full splendour. It was in that spirit that the Security Council must consider the incident, and its action must not cause further division and hostility. The Arab population in Jerusalem, which was shocked by the fire in the Al Aqsa, had remained calm, despite attempts by some groups, prompted by foreign broadcasts, to exploit the situation. Their leaders had expressed their satisfaction at the measures taken by the Israeli authorities and the progress that had been made with regard to investigation of the fire. The Jerusalem Moslem Council had established an Al Aqsa Repairs Committee, which had announced the creation of a special fund for repairs and had also considered what further security measures might be taken to protect the Mosque quarter. For its part, the Israeli Government was prepared to make available all necessary assistance, including the admission of experts from abroad.

213. At the 1508th meeting of the Council on 10 September, the representative of Algeria stated that the burning of the Al Aqsa Mosque had raised once again the problem of the occupation of Arab territories and the need to deal urgently with the Palestinian conflict in its true context. It would be useless merely to deplore the new crime if steps were not taken to achieve peace based on justice. It was obvious that Israel, after its totalitarian and massive eviction of the Palestinian people, had begun a new stage in the execution of its programme of wiping out all traces of Arab-Islamic civilization. As statements of Zionist personalities indicated, Israel was continuing to cultivate the messianic-theological spirit which had permeated the atmosphere before the fire at Al Aqsa. Israeli propaganda had found in religious fanaticism a way of recruiting persons who were ready to carry out sinister undertakings. A fanatical group of persons, under the name of The Church of God, had held a general assembly in Israeli-occupied territory and had perpetrated the idea of building the Tabernacle of David at the site of the Al Aqsa.

214. Israel had continued systematic destruction of entire villages and of buildings that had been the glory of Jerusalem, and it had continued the oppression of

the Palestinian population in the occupied territories. The people of Palestine were left with no alternative but to undertake an armed struggle against the continued and oppressive occupation of their country. The military occupation by Israel also entailed risk of endangering international peace and security. It was, therefore, incumbent upon the Security Council to ensure that its resolutions were implemented scrupulously and that concrete steps were taken to follow up its decisions. The ineffectiveness of the Council was due essentially to the attitude of the United States, which, despite its obligations under the Security Council decisions, had continued to give Israel the most modern weapons to crush the Palestine liberation movement. Nevertheless, there was growing understanding and sympathy for the Palestinians throughout the world, as was evident from the many countries that had requested the Council to consider the item under debate.

215. The representative of India stated that the act of vandalism that had caused fire in the Al Aqsa Mosque had been condemned throughout the world, including his country. The Prime Minister of India had stated further that the damage to Al Aqsa had increased tension in the area, which could have worldwide repercussions.

216. India, with its firm belief in secularism, had felt especially grieved at the desecration of a place of worship, and numerous civic and religious leaders of many faiths had expressed their profound shock. Nevertheless, it must not be believed that the question before the Council was a religious issue. Any attempt to create such a diversion would do incalculable harm and present fresh difficulties in solving the west Asian problem. India considered that the incident was a direct consequence of the illegal occupation by Israel of Jerusalem and other Arab areas. Israel thus could not be absolved of its responsibility for the incident of 21 August.

217. Although the Council had under its consideration a specific complaint, the question raised therein had wider implications and concerned the juridical status of Jerusalem. Under General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) and Security Council resolutions 252 (1968) and 267 (1969), Israel had been asked to desist from taking actions that would tend to change the status of Jerusalem. Those and other resolutions had also reaffirmed the principle that territory could not be acquired by military conquest. Thus, as long as Israel continued its current policy of defiance and refused to withdraw from the occupied territories, the tension in west Asia would increase, posing a threat to peace and security far beyond the Israel-Arab borders. The current episode had brought out more forcefully than ever before the need to make Israel carry out fully and faithfully the various United Nations resolutions.

218. The representative of Somalia stated that the violent reaction throughout the Moslem world to the Al Aqsa catastrophe could be understood only if one were to realize the strong spiritual and emotional ties that Moslems attached to that holy shrine. The Security Council must take note of all those demonstrations concerning Al Aqsa, because they made clear that the problem of Jerusalem transcended national frontiers and was of vital concern to Moslem communities throughout the world.

219. The burning of Al Aqsa could be considered only against the background of the attitudes and actions

of Israeli authorities in the occupied territories. There had been protests, including one submitted to the representative of the Secretary-General, against Israel's demolition and desecration of places of worship in old Jerusalem. Israeli excavations in the area of the Mosque to uncover the Temple of Solomon had assumed a provocative character when a prominent group of Israelis had declared their intention to restore the temple of Judaism on the site of the Al Aqsa Mosque. Moreover, he continued, the statement of Sheikh Hilmi Al Muhtasib, Chairman of the Supreme Moslem Council in Jerusalem, had declared that the fire in Al Aqsa had been caused deliberately and that the Israeli firemen and police had been less than helpful in extinguishing the fire. The second statement of the Supreme Moslem Council also expressed dissatisfaction with the work of Israeli authorities in extinguishing the fire and decided to establish an Arab committee of investigation. It also raised the question of the position of Holy Places vis-à-vis the status of Jerusalem.

220. The Somali representative then recalled that Israel had been asked to rescind all measures taken to change the status of Jerusalem. Moreover, all questions concerning Jerusalem could not be considered in isolation from the situation resulting from Israel's aggression of 1967. There could be no hope of peace until Israel had withdrawn its troops from the areas it had occupied. As for the immediate question of the Al Aqsa fire, the Somali delegation would urge the United Nations to conduct an impartial investigation into the grave events of 21 August 1969 and would like the Security Council to recognize that acts of destruction or desecration of the Holy Places were likely to endanger international peace and security.

221. At the same meeting, the representative of Israel said that in his statement at the previous meeting he had quoted the principal points from the statement of Sheikh Hilmi Al Muhtasib, the President of the Jerusalem Moslem Council. The excavation to which the representative of Somalia had referred as affecting the sacredness of Al Aqsa and its compound were the repair work carried out by the Moslem Waqf on the dome of the Mosque, which had been damaged during the 1967 hostilities, when the Jordanian army had used it for its machine-gun emplacements. Israel's official position was to respect and preserve all holy shrines of all religions and it recognized that it was natural and legitimate for Moslem States and communities to have special interest in the restoration of the Al Aqsa Mosque.

222. At the 1509th meeting, on 11 September, the representative of Somalia stated that in referring to his previous statement the representative of Israel had again omitted some relevant points from the statements of Sheikh Hilmi Al Muhtasib, to which he had drawn the attention of the Council, namely, that the Sheikh had commented on the ineffectiveness of Israeli firemen in extinguishing the fire and had pointed out that it had finally been extinguished by Arab firemen brought from distant towns. Moreover, the Israeli representative's claim that his Government had taken all necessary precautions to protect the holy shrines was contradicted by a statement on 21 August of the Supreme Moslem Council which had declared that Israeli authorities had desecrated the Holy Places many times, including a recent military parade inside the Al Aqsa Mosque. It was clear that the statements of the Israeli authorities concerning the fire and the holy

shrines conflicted with the world press reports and with the statements of the Jerusalem Supreme Moslem Council, and only an impartial investigation could establish the facts.

223. The representative of Jordan stated that in previous discussions in the Council his delegation had drawn attention to the steps taken by Israel to bring about the complete annexation of Jerusalem. The latest event had greatly shocked the people of Jordan. Israel had tried to absolve itself of the crime, but, according to press reports emanating from Israel itself, the person suspected of arson had been brought from Australia by a Jewish agency to work for Israel in a kibbutz and had entertained dreams of building Solomon's Temple. Moreover, there had been other acts of desecration by some Israeli groups which clearly indicated Israel's designs with respect to Al Aqsa Mosque. The burning of Al Aqsa was not only a premeditated act of burning a sacred monument but an open defiance of the feelings of the people who cherished the cultural heritage represented by Al Aqsa.

224. Israel's attitude and statements immediately after the fire had given rise to many questions, including why Israel, even before any investigation, had attributed the fire to an electric contact and why it had insisted on keeping the key to one of the main gateways of Al Aqsa. It was not a secret that Israel, and various Zionist organizations as well, had been working to change the character and status of Jerusalem against the wishes of its people and in defiance of United Nations resolutions. The Al Aqsa incident, could not be viewed as an isolated event. Moreover, it was not that event alone that had aroused the fears of 750 million Moslems and other peace-loving peoples but all the other changes that Israel had made in the status of Jerusalem.

225. The law under which Israel had established a commission of inquiry and the law under which it was trying the suspect had been declared invalid by the Security Council. It was clear that Israel was trying to have those laws validated by the Council by stating that due processes of law were being observed. However, the Council could not be expected to endorse illegal actions, especially actions which could lead to further aggression. Israel must be told that only by implementing fully all United Nations resolutions could it expect co-operation in the restoration of peace in the area.

226. In reply, the representative of Israel pointed out that the fact that the suspect, Michael Rohan, had been working in an Israeli kibbutz was no proof of Israel's complicity in the crime or that he had been preparing for arson while working at the kibbutz. It was also baseless to suggest that Israeli authorities had not promptly and effectively put out the fire. In fact, the fire had been extinguished after one hour, and thereafter the firemen had been busy with the embers.

227. Arab propagandists and some of the statements made before the Council, he continued, had attempted to blame Israel for the fire and had used that incident for vilifying it. However, as representatives of the Committee for Human Rights of Switzerland and the education ministers of Dahomey and Gambia, who had visited Israel after the fire, would point out, any attempt to involve Israel or its people in the Al Aqsa fire would be most unjustified. Other leaders, including the Pope, had cautioned against exciting passions and hatreds that might further prejudice the cause of peace and justice. The Council,

the Israeli representative said, must take every step to prevent exploitation of the incident of fire for political ends; instead of giving support to charges which had no basis, it should contribute to restoring trust among the peoples of Jerusalem.

228. The representative of Hungary stated that although his country was a secular State, it nevertheless understood fully the feelings of shock of those States that had requested Council consideration of the barbarous attempt to destroy the Al Aqsa Mosque by arson. In his attempt to absolve his Government from any responsibility for the act of arson, the Israeli representative had depicted the event as bringing the Arabs and the Jews closer. The basic question, which could not be denied, was that it was the Israeli occupation that had nurtured a favourable climate in which an act of arson could take place. To prevent such acts it was necessary that Israel should withdraw its forces from the Arab territories, including Jerusalem. Moreover, General Assembly and Security Council resolutions had declared clearly that no change in the legal status of Jerusalem was acceptable. If Israel really wished to seek peace, as its representatives often professed, it should comply fully with Security Council resolution 267 (1969) of 3 July 1969 and declare its agreement with the principle of non-acquisition of territory by force. However, Israel, instead of complying with United Nations resolutions, had continued in its policy of expansion. Therefore, the one way by which tension could be reduced in the Middle East region was the full implementation of Security Council resolution 242 (1967) and a withdrawal of Israeli troops from the occupied territories.

229. The representative of Jordan referred to the fact that the Israeli representative had quoted from a number of press reports in support of his point that the fire in Al Aqsa should not be exploited for political purposes and said that he, too, had tried to gauge world reaction to the event. He had found, from more than one hundred communications sent either to the Secretary-General or to the President of the Security Council, that there was, first, universal expression of shock and, second, a prevailing opinion that Israel could not be absolved of its responsibility for the fire at Al Aqsa. Those communications also had expressed the views that Israeli violations in Jerusalem encouraged the commission of such an act and that to prevent its repetition or any similar acts Israel must withdraw its forces from Jerusalem and other Arab territories. There was no question of exploitation of the event for political ends. The world, by itself, had been so shocked that it considered United Nations action absolutely essential; and because a number of States considered the situation fraught with danger for international peace and security, they had submitted the matter to the Security Council.

230. The representative of the United Arab Republic stated that although the Arab representatives had given assurance of full co-operation in implementing all United Nations resolutions, Israel's representative had not, just as he had not replied to the questions concerning the fire put to him by the representatives of Somalia and Jordan. He had, however, protested statements by Arab leaders that the current year would be the year of liberation. Having omitted to quote their statements to the effect that the Arab States had opened every door for peace but that Israel had closed them all, he had objected to Arab hopes that the coming year would be the year of im-

plementation of Security Council resolutions that would lead to the liberation of occupied territories, inasmuch as those resolutions reiterated the established principle of the inadmissibility of the seizure of territory by the use of force.

231. The representative of Saudi Arabia stated that Israel's continued defiance of the United Nations resolutions posed a serious threat to the authority of the Security Council. The Council, as well as the General Assembly, had adopted a number of resolutions concerning the status of Jerusalem; yet Israel continued its plans to change the character of that city and to destroy its holy monuments. It was being said that the act of arson was committed by a religious fanatic from Australia, but similar excuses had been used before. There had been numerous statements expressing a desire to reconstruct Solomon's Temple. Israel was attempting to establish its claims to Jerusalem because Judaism had flourished there once. Beside being an archaic argument, the logic contained therein must then also recognize the claims of Christians and Moslems. The whole of Palestine, according to modern conception of nationhood, belonged to the people of Palestine, not to people who had migrated there from central and eastern European countries under Zionist pressures. The Palestinians were determined to regain their homeland, and even the Arab States would not be able to stop them from that resolve. The Council could help the Palestinians in their fight to establish their right of self-determination. If, however, it failed to give such support, that would not stop the Palestinians from their struggle to regain their ancestral homeland.

232. At the 1510th meeting, on 12 September, the representative of the United Kingdom expressed his delegation's feeling that in its consideration of the question there were three propositions on which the Council could readily agree. First, the Council must reaffirm its resolutions 252 (1968) and 267 (1969) concerning the status of Jerusalem. The future of the Holy City of Jerusalem was a matter of the deepest concern to the Council, and any unilateral attempt to prejudice it could not be tolerated. The second proposition on which there was common agreement was that the Council should deplore the dreadful crime of attempting to burn the Mosque. His delegation believed that that crime was condemned by everyone in all countries and that it would be unjustified to reach any conclusion regarding the complicity of any State in the absence of adequate evidence. The third proposition on which there was general agreement was that, despite obstacles in the implementation of the Council's resolution 242 (1967), the Holy Places must, nevertheless, be fully preserved and protected. Their control should be in the hands of the religious authorities concerned. With a decision based upon these three propositions, the Council then could press further its search for a lasting peace in the Middle East. However, if the Council were to depart from the above consensus, it might hamper its efforts in that respect.

233. At the same meeting, the representative of Ceylon stated that on 23 August his Prime Minister, after deploring the damage done to Al Aqsa, had stated that, whatever might be the cause of the incident, it was essential for world peace that the matter should be investigated by an impartial tribunal and that full restoration and retribution be made. As far as international peace and security were concerned, the fire

at Al Aqsa differed from other fires in holy places, because the territory on which Al Aqsa stood was under foreign occupation, which was maintained in defiance of the General Assembly and Security Council resolutions and in violation of the basic principle of the United Nations Charter of the inadmissibility of acquisition of territory by force. Under those circumstances, he stated, Security Council resolution 242 (1967) still remained the soundest basis for a just and peaceful settlement. In that respect, his delegation had already expressed its concern over Israel's failure to implement that resolution. The responsibility of the international community, in particular of the four major Powers, to bring about a settlement in accordance with the provisions of resolution 242 (1967) could not be overstressed.

234. The representative of Malaysia stated that the people and the Government of his country had felt profound horror and grief at the burning of the Al Aqsa Mosque. In the Holy City of Jerusalem, which was respected equally by the three great religions of the world, the Moslems had shown themselves tolerant to both Jews and Christians. It had been a sad tragedy to civilization that that atmosphere of tolerance had deteriorated with Jerusalem's annexation by Israel. The date of 21 August 1969 would long be remembered as a day of great tragedy. As had already been pointed out, such an event could only have taken place in an atmosphere such as that created by Israel's military occupation of the Holy City. It was therefore imperative, as had been requested in the letter of the twenty-five member States, that an impartial investigation of the tragic event of 21 August should take place, that appropriate actions should be taken to prevent a recurrence of such vandalism and that the representatives of the Governments of Islamic countries should be permitted to assess the damage to the Holy Al Aqsa Mosque and to prepare and execute plans for its repair. The Council must also put an end to Israel's defiance of resolution 252 (1968) and 267 (1969), in which the Council had declared invalid all legislative and administrative measures taken by Israel.

235. The representative of Israel stated that, although some press reports had mentioned extensive damage to the Mosque, the fact was that only one tenth of the Mosque had been damaged. However, in that one tenth, the roof over the southern wing and the pulpit—the minar—had been totally destroyed. Nine tenths of the Mosque had remained untouched by the flames. He reiterated that the fire lasted from 7.20 to 8.30 a.m. and that thereafter the firemen had been occupied with the embers. With regard to construction of the ancient Hebrew Temple, he said that official Israeli policy held that the Temple would be built when the Messiah had come; it was therefore inconceivable that any plans for it were being made at the current time.

236. At the same meeting, the representative of Pakistan submitted the following draft resolution submitted by his delegation:

"The Security Council,

"Grieved at the extensive damage caused by arson to the Holy Aqsa Mosque in Jerusalem on 21 August 1969 under the military occupation of Israel,

"Mindful of the consequent loss to human culture,

"Having heard the statements made before the Council reflecting the universal outrage caused by

the act of sacrilege in one of the most venerated shrines of mankind,

"*Recalling* its resolutions 252 (1968) of 21 May 1968 and 267 (1969) of 3 July 1969 and the earlier General Assembly resolutions 2253 (ES-V) and 2254 (ES-V) of 4 and 14 July 1967, respectively, concerning measures and actions by Israel affecting the status of the city of Jerusalem,

"*Reaffirming* the established principle that acquisition of territory by military conquest is inadmissible,

"1. *Reaffirms* its resolutions 252 (1968) and 267 (1969);

"2. *Recognizes* that any act of destruction or profanation of the Holy Places, religious buildings and sites in Jerusalem or any encouragement of, or connivance at, any such act may seriously endanger international peace and security;

"3. *Determines* that the execrable act of desecration and profanation of the Holy Al Aqsa Mosque emphasizes the immediate necessity of Israel's desisting from acting in violation of the aforesaid resolutions and rescinding forthwith all measures and actions taken by it designed to alter the status of Jerusalem;

"4. *Calls upon* Israel scrupulously to observe the provisions of the Geneva Conventions and international laws governing military occupation and to refrain from causing any hindrance to the discharge of the established functions of the Supreme Moslem Council of Jerusalem, including any co-operation that Council may desire from countries with predominantly Moslem population and from Moslem communities in relation to its plans for the maintenance and repair of the Islamic Holy Places in Jerusalem;

"5. *Condemns* the failure of Israel to comply with the aforementioned resolutions and calls upon it to implement forthwith the provisions of these resolutions;

"6. *Reiterates* the determination in paragraph 7 of resolution 267 (1969) that in the event of a negative response or no response, the Security Council shall convene without delay to consider what further action should be taken in this matter;

"7. *Requests* the Secretary-General to follow closely the implementation of the present resolution and to report thereon to the Security Council at the earliest possible date."

237. In submitting the above draft resolution, the representative of Pakistan stated that the draft reflected the consensus of the twenty-five Member States which had requested the Council to meet on the question. Under that draft, the Security Council would recognize that any act of destruction or profanation of the Holy Places in Jerusalem might seriously endanger international peace and security. Those Member States had requested the Council's consideration of the 21 August event not merely to obtain the Council's condemnation of the actions of a fanatic; they had done so because they had felt the implications of the event to be so grave that they could indeed endanger the prospects of world peace.

238. At the 1511th meeting, on 15 September, the representative of France stated that his country fully shared the deep emotion that had been aroused throughout the world at the news that one of the most highly revered places of worship and one of the most

celebrated works of art in the Middle East had been damaged by fire. France considered that works of art, in whatever country they might be found, formed part of the cultural heritage of all mankind and that any harm to them harmed the entire world community.

239. The repercussions of the fire at Al Aqsa had been all the more pronounced, since the disaster had taken place in that section of Jerusalem that had been under Israel's occupation since June 1967. Jerusalem constituted one of the most delicate points in any solution of the Middle East situation and one most likely to inflame passions. In order to prevent an increase in tension, the Security Council, on 3 July 1969, had asked that there should be no change in the status of Jerusalem and had censured, in the strongest terms, all measures to change the status and declared them to be invalid. The reactions aroused in the world by the burning of Al Aqsa had justified the Council's anxieties. France shared the wish for a full and impartial investigation that would establish responsibility for the incident and contribute to restoring calm in the area. For several months, France had already been preparing a procedure to break permanently the vicious cycle of violence and counterviolence and to reach an equitable solution of the Middle East situation on the basis of the unanimous will expressed by the Council in its resolution 242 (1967) of 22 November 1967. It believed that the regrettable affair which had been brought to the Council's attention made it even more necessary and more urgent to arrive at a comprehensive, just and durable settlement of the problems of the Middle East.

240. The representative of Lebanon stated that, as pointed out by the representative of France, the concern expressed in July 1969 during the discussion in the Council of the question of Jerusalem was well justified, as subsequent events had proved. Great concern was being expressed by the people of Lebanon for other Holy Places in Jerusalem, including the Holy Sepulchre Church and the Church of the Nativity. Those fears could be dispelled only by the immediate withdrawal of Israel from the old City of Jerusalem and from the other occupied areas. It was, therefore, incumbent upon the Security Council to put an end to that occupation and to set in motion those provisions of the Charter which would compel Israel to abide by its decisions, particularly resolution 242 (1967).

241. The representative of Tunisia stated that the request of the twenty-five Member States had amply stressed the point that the situation resulting from the fire at Al Aqsa was a threat to international peace and security. In joining that request, Tunisia once again reaffirmed its confidence in the ability of the United Nations, particularly the Security Council, to take effective steps against situations which were a threat to international peace and security. In his statement to the Secretary-General, the President of the Republic of Tunisia, after expressing the shock of his people, had stated that the act of arson in the Al Aqsa Mosque had rendered even more difficult the search for a just peace in the Middle East. Tunisia also considered that the responsibility of the occupying Power in that act was directly involved. The basic fact was that military occupation had created an atmosphere conducive to the commission of the act of burning Al Aqsa Mosque. Tunisia had never wished to give a religious dimension to the conflict in the Middle East, but it was Israel that had introduced it by making race and religion its

yardstick in the make-up of its policies, thereby introducing fanaticism. Moreover, in classic colonial manner, Israel wished to wipe out the soul of the people under its control and was therefore attempting to eliminate the Holy Places of Islam and Christianity in Palestine. Israel was forgetting, however, that people had always resisted cultural destruction, and its policies would lead only to further conflagration in the Middle East. In those circumstances, the responsibility of the Security Council and its four permanent members was all the greater to see that military occupation of Arab territories was brought to an end and that Palestinians were restored to their land in order to save the world from new wars.

242. The representative of Senegal stated that his country, which had tried constantly to find a just and lasting solution of the Middle East situation, considered that events like the fire in the Al Aqsa Mosque had made that search even more difficult. The setting of fire of the Mosque had constituted an attempt to infringe upon the spiritual values that were fundamental elements of the human mind. That explained the indignation that had been felt by believers of all religions throughout the world. Although Israeli authorities also had publicly expressed their indignation at the event, the basic question was, indeed, that of the status of Jerusalem. Only the withdrawal of Israel from Jerusalem and other occupied territories would be able to assure the security of the Holy Places.

243. The representative of the United States said that his country was profoundly shocked and dismayed by the fire on 21 August at the Al Aqsa Mosque in occupied Jerusalem. The United States agreed with the signatories of the request to the Council that the facts surrounding the tragedy must be investigated thoroughly and impartially. There was also merit in the proposal that a group of distinguished Moslems should assist in determining the extent of damage to the Mosque and be associated with the necessary repairs. The representative of Israel already had stated that his Government had no objection to the proposal. That would also reaffirm the widely held view that Jerusalem was a legitimate concern of the international community. There was also no disagreement on the necessity for more adequate precautions against repetition of such a desecration.

244. After carefully examining the facts that were so far available, he continued, the United States had seen no evidence to support the allegation that the act of suspected arson that had occurred at the Haram-as-Sharif on 21 August had been other than an individual act. It would be unfortunate if the international community, which had an abiding interest in the shrines of Jerusalem, were diverted from formulating a positive response to the current situation by allegations in support of other objectives. The United States had noted that Israel had taken immediate steps to institute a commission of inquiry composed of representatives of all three religions with Holy Places in Jerusalem. It was also welcome news that hearings by that commission would be open to the public and to observers from any country or faith. The United States also learnt with satisfaction that Israel would continue its co-operation with the Director-General of UNESCO in applying the 1954 Convention and Protocol for the Protection of Cultural Property in the Event of Armed Conflict. It was hoped that the Convention would be applied in such a manner as to assist in resolving

the legitimate question regarding the circumstances of the fire at Al Aqsa Mosque and also serve as a basis for preventing recurrence of similar acts in future. Only nine weeks ago, when the Security Council had unanimously reaffirmed the special interest of the international community in the City of Jerusalem, the United States delegation had given in detail its viewpoint on the subject of Israel's responsibilities as an occupying Power. It was not necessary that the question of the fire in Al Aqsa be used to re-examine the question of the status of Jerusalem or the whole matter of the Arab-Israeli conflict. The draft resolution, which was before the Council, had gone beyond the purpose of the current discussion and the points raised in the letter (S/9445) of the twenty-five member States. Those matters were concerned with the maintenance, repair and protection of the Holy Places. Since portions of the draft resolution were inappropriate in that context and were not well calculated to advance the ends in view, the United States delegation would abstain from voting on it. Moreover, restraint and co-operation of the parties were absolute requirements to achieve a just and lasting peace in the Middle East, especially at a time when the Foreign Ministers of the States most concerned and the four permanent members of the Security Council were at Headquarters and a search for peace was continuing.

245. The representative of Nepal stated that his delegation shared the sentiments of profound sorrow and indignation expressed in the debate at the burning of Al Aqsa Mosque. The Council's overriding concern should be to ensure that an objective and full investigation into the matter be held and that a swift restoration of the Mosque be effected. Steps should also be taken to prevent the recurrence of such acts of vandalism.

246. In the absence of a full and objective report on the matter, the Security Council was not in a position to attach responsibility to one party or another, and the Nepalese delegation regarded the expression of grief and anguish by Israel to be sincere. Nepal also noted that Israel had recognized the special interest of Moslem States and communities in the Holy Places and had welcomed their co-operation in the restoration work at Al Aqsa Mosque. Nevertheless, it must be recalled that the incident of 21 August had occurred at a time when Jerusalem was under Israel's military occupation and that Israel had failed to comply with specific resolutions concerning Jerusalem adopted by the General Assembly and the Security Council. Thus, although Israel had shown its readiness to seek co-operation in the restoration of the damage done to Al Aqsa, it should, at the same time, be reminded of its obligations as an occupying Power and abide by United Nations resolutions. Because of those considerations and because it had supported the earlier resolutions on the question of Jerusalem, Nepal would cast its vote in favour of the draft resolution (S/9445) submitted by Pakistan.

247. The representative of Colombia stated that his country, with its tradition of respect for deep-rooted religious convictions, felt great concern at the fire in the Al Aqsa Mosque and the damage done to that Holy Place. A careful analysis of the facts before the Council did not lead his delegation to feel that the Government of Israel had harboured deliberate plans of damaging the integrity of the Al Aqsa Mosque. In fact, the situation that had resulted from the fire in Al Aqsa had shown clearly that Israel could gain no advantage but only increase concern and uncertainty. The tragic event

of fire should be investigated without, however, linking it to any motivation.

248. The representative of Israel stated that, in reply to a number of statements by the Arab representatives he would only wish to state that fires had occurred in Jerusalem's Holy Places prior to 1967 and that the hazard of fire in the shrines had been generally recognized. Those facts could be verified from the press reports published on the earlier fires. Moreover, it could not be denied that prompt and energetic efforts by Israeli authorities had restricted the damage to the Mosque. In contrast to the attitude of Israel towards all Holy Places, Jordan, during the time that part of Jerusalem was under its occupation, had not only shown neglect but, in fact, on a number of occasions had brought them under fire. However, Israel would not like the Council's debate to end on a note of acrimony but in a manner which would unite the various interests. The draft resolution before the Council, however, would exacerbate the conflict without contributing any constructive element towards understanding or co-operation.

249. The representative of Zambia stated that his delegation believed that the burning of any Holy Place belonging to any religion was a monstrous crime. Nevertheless, it would be inconclusive to discuss the burning of Al Aqsa in purely religious terms, without taking into account the political circumstances that had surrounded that event. The fact that it had occurred in circumstances of occupation and also without the protection of the people to whom the Mosque belonged compelled his delegation to conclude that it was a direct consequence of the Israeli occupation of the Holy City of Jerusalem. There was also no doubt that the burning of the Mosque had aggravated the already grave situation in the Middle East, and Zambia hoped that the Council would be able to adopt measures to lessen the tension in the area and to resolve the root cause of the conflict.

250. The representative of Finland stated that the damage suffered by one of the most important religious shrines in the world was a loss to civilization as a whole. It was fortunate that the greater part of the Mosque could be saved and that it continued to serve as a centre of worship. However, the incident raised the issue of the safety and protection of the Holy Places in Jerusalem, and that was a matter of universal concern. It was for that reason that, in August 1967, Ambassador Thalman, the personal representative of the Secretary-General, was specifically requested to investigate the situation concerning all the Holy Places in Jerusalem. That mission represented an example of an agreed procedure by which the United Nations had been able to obtain the relevant information.

251. The unanimous adoption of resolution 267 (1969) had made it quite clear that the international community could not accept as valid any measures that might tend to change the status of Jerusalem. The wave of emotion that swept over Islam after the fire had further increased the tension in the area where the strain was already close to breaking point. Nobody stood to gain from that unfortunate event; it was a tragedy for all the parties to the conflict. In those circumstances the Security Council, committed as it was to a search for a peaceful solution of the conflict of the Middle East, should deal with the question before it in such a manner as to prevent a further deterioration of the situation. This formed the primary criterion by

which the Finnish delegation would determine its stand on the draft resolution introduced in the Council.

252. The representative of Paraguay stated that the fire, which could have destroyed the Mosque entirely, had aroused universal concern and condemnation. His country, which believed that the Holy Places venerated by any religion must be fully protected, felt the greatest repugnance at that act and unreservedly condemned it. The Paraguayan delegation also believed that there was an urgent need to preserve the international character of Jerusalem as defined in General Assembly resolutions. Moreover, the question of the juridical status of Jerusalem was closely tied to the over-all question of peace and security in the Middle East. His delegation had already stated its position on that question when the Council had unanimously adopted its resolution 267 (1969), asking Israel not to change the status by administrative and other measures. As regards the draft resolution (S/9445) submitted by Pakistan, his delegation would abstain from voting on it; but that did not imply any alteration in the traditional stand of his delegation on the juridical status of Jerusalem.

253. At the 1512th meeting, on 15 September, the representative of Jordan stated that the United States and the United Kingdom had expressed the view that the fire on 21 August at Al Aqsa had been the work of an individual and that no Government could be involved in it. However, in view of the political circumstances that had led to the crime of arson, the United Kingdom and the United States might have good reason to believe that Israel's continued occupation of Arab territories had created the situation which led to the committing of the crime. On 3 July, the Security Council, by a unanimous vote, including that of the United States, had reiterated the invalidity of all legislative measures taken by Israel that aimed at the annexation of Jerusalem. The Committee of inquiry, the establishment of which was welcomed by the United States, was being created by Israel under those invalid laws.

254. It was also being suggested that the question of Al Aqsa be taken in isolation and that the question of the status of Jerusalem not be examined at the same time. However, the Security Council was convened to consider a situation threatening world peace and security and, therefore, could not ignore the circumstances that had led to that situation. Furthermore, the resolutions of the Security Council were not adopted only to be subsequently reaffirmed but were to be respected and implemented. Instead of forcing Israel to implement the Council's resolution, the Western Powers, in particular the United States, were supplying Israel with weapons, including Phantom jets, and enabling that State to continue and escalate its aggression in the area. The United States abstention on the draft resolution (S/9445) would not contribute to the restoration of peace but would only damage its image in the area.

255. The representative of Spain stated that the maintenance by Israel of its military occupation of the Holy City, contrary to the unanimous decision of the Security Council, was the one important factor underlying the case under discussion. It was, therefore, appropriate that the draft resolution (S/9445) submitted by Pakistan should have reiterated the principle of inadmissibility of acquisition of territory by force. In fact, Israel's reiterated will to ignore the resolutions of the United Nations must be condemned by the Security Council. By its various resolutions, often adopted unanimously, the Security Council had sought to find a

solution of the Middle East situation on the basis of justice and respect for the interests of the parties concerned. However, in view of Israel's continued defiance of those resolutions, Spain would vote in favour of the draft resolution before the Council which, in its operative paragraph 5, condemned the rebellious attitude of Israel regarding the United Nations resolutions. During the current debate, the representative of Israel had made an appeal for co-operation and goodwill, and Spain hoped that, in accordance with the spirit of that statement, Israel would be ready to accept and comply with the Security Council's resolutions, which contained the basis for a just and negotiated settlement.

256. At the same meeting, the President, speaking as the representative of the Union of Soviet Socialist Republics, stated that the General Assembly and the Security Council had devoted considerable time to the question of Jerusalem. Their resolutions on that question were based on the basic principle that reflected the legal consciousness of Member States, that Israel's military occupation of Jerusalem was an unlawful act and that Israel had no right to change that city's status. By its resolution 242 (1967), the Security Council had called for the withdrawal of Israeli troops from occupied Arab territories, without making any exception of Jerusalem or any other Arab territory. All decisions of the Security Council were binding upon the Member States. It was an obligation, without exception and without conditions, assumed by each Member State under Article 25 of the Charter. However, the facts were that Israel was not implementing the decisions of the Security Council on Jerusalem. Instead, it was advancing annexationist claims to Arab lands and was following a policy of forcible Israelization of occupied territories. The Security Council itself was in receipt of many official communications concerning attempts by the occupying forces to eradicate the Arab character of the Old City of Jerusalem. Those attempts included forcible expulsion of Arab inhabitants, destruction of Arab quarters and subjecting the economic life of the Arab part of Jerusalem to the requirements of the Israeli military economy. It was that atmosphere of repression that had led to the act of vandalism that had occurred, resulting in the damage to the Al Aqsa Mosque. The people of the USSR had known, through their bitter experience of the Second World War that aggression went hand in hand with the use of most barbarous methods to destroy historical monuments and religious sites. Therefore, the fact that fire had been set to the Al Aqsa Mosque under a continuing military occupation was not an accident but a direct result of Israel's aggression, for which the Israeli authorities would never be able to divest themselves of the responsibility.

257. The Al Aqsa fire also had drawn the attention of the world to the threat to international peace and security resulting from Israel's aggressive policy towards the Arab States. An impartial evaluation of the situation would no doubt lead to the conclusion that Israel's continued occupation of Arab lands had prolonged that dangerous situation. It was, therefore, imperative for the Security Council to take effective action to compel Israel to implement its resolution 242 (1967) of 22 November 1967 and other decisions. For that reason, the Soviet Union would support the draft resolution (S/9445) submitted by Pakistan on behalf of the twenty-five Member States.

258. At the same meeting, the representative of Saudi Arabia stated that the United Nations could not

countenance the forcible occupation of Jerusalem, which did not belong exclusively to the Jews. Moreover, religion could not be identified with nationality, and Jerusalem belonged, in accordance with the right of self-determination, to the people who had lived there and not to those Jews who had migrated there from other parts of the world. By no criteria could Jerusalem be described as the "capital of the Jews", as the representative of Israel had once attempted to describe it. The whole problem relating to the Middle East situation could be settled only through the application of the principle of self-determination. In that respect, a heavy responsibility lay with the Governments of the United States and the Union of Soviet Socialist Republics. They alone possessed the necessary power to issue an ultimatum to Israel to withdraw from the occupied Arab territories.

259. At the same meeting, the representative of Pakistan stated that his delegation had already explained the principal considerations for submitting its draft resolution (S/9445). The current debate had brought out certain points, which must be kept in mind in order to enable the Security Council to discharge its responsibility in the situation placed before it by the twenty-five Member States. First of all, the Council must realize that the event of 21 August had caused such anguish that, if the Council failed to take a meaningful action, a sense of the gravest injustice was bound to grow, creating a situation which could not but be a danger to international peace and security. As the Security Council was not a court of justice, its concern was not to determine the issue of criminal responsibility for the act of arson but to deal with the political circumstances surrounding that act. Those were inextricably associated with Israel's occupation of the Old City. The Security Council was, therefore, dealing with a political matter, not a religious conflict. Indeed, it was the desire to avoid such a conflict that had motivated the twenty-five Member States to request the Council to resolve the situation. They did not seek a condemnation of the evil act of 21 August, which stood self-condemned; nor did they seek to have the Council pronounce itself in such a manner as to imply complicity on the part of the Israeli authorities. Thus, although the draft resolution before the Council did not contemplate that it should pronounce itself on the issue of criminal responsibility, the Council must assert its authority by removing the causes that had led to the act and created a situation which could be a threat to international peace and security.

260. The representative of Pakistan then stated that references had been made not only to the Geneva Convention but to international law as governing the rights and responsibilities of military occupation. He therefore amended operative paragraph 4 to include the words "and international law", after the words "Geneva Convention".

261. Before the Pakistan draft resolution (S/9445), as amended, was put to the vote, the representative of France requested a separate vote on operative paragraph 4. His delegation would have preferred that paragraph to include a reference to the 1954 Convention and Protocol for the Protection of Cultural Property in the Event of Armed Conflict.

Decision: At the 1512th meeting, on 15 September 1969, operative paragraph 4 of the draft resolution was

adopted by 10 votes to none, with 5 abstentions (Colombia, Finland, France, Paraguay and United States).

The draft resolution, as a whole, was adopted by 11 votes to none, with 4 abstentions (Colombia, Finland, Paraguay and United States), as resolution 271 (1969).

262. After the vote, the representative of Finland stated that the reasons for which his delegation had abstained from the voting had been indicated already. He wished to emphasize, however, that although his delegation joined in condemning the act of arson against the Al Aqsa Mosque and in reaffirming the position taken by the Council on the status of the City of Jerusalem, it was not prepared to accept without an impartial investigation, the charge of Israeli responsibility that was implied in the text of the draft resolution. It was a matter of regret to his delegation that none of the suggestions concerning an investigation had been taken up.

263. The representative of the United Kingdom stated that his delegation had maintained that a unanimous result of the Council's debate was possible as well as desirable. His delegation, however, welcomed the statement of the representative of Pakistan that the resolution adopted by the Council did not allege complicity by Israel in the fire. The United Kingdom Government did not consider Israel guilty in that respect and deplored the accusations that had been made without adequate evidence. However, on the agreed understanding which the representative of Pakistan, as sponsor of the draft resolution, had put before the Council, although they were still unhappy about certain sections of the draft resolution, his delegation had been able to vote in favour of it. It had voted, however, with the hope that the Council would next turn its attention to an urgent endeavour to search for the ground of agreement on which a just settlement might be built.

(d) Report of the Secretary-General

264. On 16 December, the Secretary-General submitted a report (S/9559) to the Security Council in pursuance of paragraph 7 of resolution 271 (1969). He stated that he had communicated that resolution to the Government of Israel the day it had been adopted, but, having received no information, he had addressed a note to the Permanent Representative of Israel on 24 November, requesting the necessary information regarding the implementation of resolution 271 (1969), inasmuch as it was his intention to submit a report to the Security Council not later than mid-December 1969.

265. On 16 December, the Secretary-General received a reply from the Permanent Representative of Israel which stated that the genesis of resolution 271 (1969) was an attempt by the Arab States to exploit the fire in the Al Aqsa Mosque for political and propaganda purposes and that the tension and antagonism thus deliberately created had damaged further the prospects of a peaceful settlement of the Middle East conflict. The Israeli representative added that the report of the commission of inquiry that had been appointed by the President of the Israel Supreme Court had been published. The trial of Denis Michael Rohan, accused of arson in connexion with the fire, was then in progress. In the meantime, temporary repairs to the Mosque had been carried out, and prayers were being conducted as usual.

D. General statements and other matters brought to the attention of the Security Council in connexion with the situation in the Middle East

(a) General statements

266. During the past year, general statements concerning the situation in the Middle East have been brought to the attention of the Security Council. They are briefly noted below.

267. By a letter dated 2 October (S/9460), the representative of Morocco transmitted the text of the Final Declaration of the Islamic Conference held at Rabat from 22 to 25 September 1969, in which statements were made concerning the fire in Al Aqsa Mosque, the Islamic shrines in Jerusalem and the continued Israel occupation of Arab territories.

268. In a letter dated 7 November (S/9500), the Permanent Representative of India to the United Nations informed the Secretary-General concerning the representation of India in the Islamic Conference held at Rabat.

269. On 9 October, the representative of the Organization of African Unity (OAU) in New York, by a letter addressed to the Secretary-General (S/9468), transmitted the text of the resolutions adopted by the Assembly of African Heads of State and Government of the OAU at the sixth ordinary session, held in Addis Ababa from 6 to 9 September 1969, on aggression against the United Arab Republic and the implementation of Security Council resolution 242 (1967).

270. By a letter dated 3 November (S/9496), the Union of Soviet Socialist Republics transmitted a TASS statement of 25 October to the effect that the United States Embassy in Lebanon, on the pretext of expressing concern for the independence and territorial integrity of Lebanon, had circulated a statement which, in fact, had advanced United States claims to the right to interfere in the internal affairs of Lebanon. The TASS statement added that if the United States were genuinely interested in preserving the independence and territorial integrity of the Arab States, it should direct all its efforts towards a speedy implementation of the decisions of the United Nations regarding the situation in the Middle East.

271. In a reply dated 4 November (S/9497), the United States declared that the TASS statement and other statements concerning the Middle East recently emanating from Moscow had contained unfounded allegations against the United States, which had appeared at a time when the United States and the Soviet Union were actively engaged in confidential discussions about a peaceful settlement to the Arab-Israel dispute. The United States had recently reiterated that it was for peace in the area and did not support any policy of expansionism. It would continue to support the Security Council resolution 242 (1967) in all its provisions and to pursue discussions among the major Powers to facilitate a settlement.

272. By a letter dated 2 December (S/9520), the representative of Bulgaria transmitted the text of a statement on the situation in the Middle East, in which a group of socialist States had expressed concern about the increased tension in the Middle East resulting from Israel's policies.

273. By a letter dated 8 December (S/9545), Israel, in reply, transmitted a Foreign Ministry statement declaring that the statement published in the

name of the Union of Soviet Socialist Republics and five other socialist States and communist parties was a further contribution by the Soviet Union to the perpetuation of the dispute in the Middle East and demonstrated that the USSR was not qualified to participate in unprejudiced consultations on the establishment of peace.

274. By a letter dated 30 December (S/9588), the representative of the United States transmitted the text of a statement made by the United States Secretary of State on 9 December 1969 concerning United States policy towards the situation in the Middle East. Outlining the policy of the United States Government on the various elements of the Security Council resolution 242 (1967), the Secretary of State declared that peace must be established through agreement between the parties themselves and that it must be based on clear and stated intentions to bring about fundamental changes in the attitudes and conditions which were characteristic of the Middle East situation. Peace also must be sustained by a sense of security on both sides through the establishment of demilitarized zones and related security arrangements. The Security Council resolution had endorsed the principle of the non-acquisition of territory by war and had called for withdrawal of Israeli armed forces from territories occupied during the 1967 war. The United States supported that part of the resolution, including withdrawal, just as it had supported all other elements of the resolution. Regarding the problem of the Palestinian refugees, the Secretary of State stated that there could be no lasting peace without a just settlement of that problem, which took into account the desires of the refugees and the legitimate concerns of the Governments in the area. As regards the status of Jerusalem, the United States could not accept unilateral action by any party to decide the final status of the city. The future of the city could be determined only through an agreement between the Israel and Jordan Governments, taking into account the interests of other countries in the area and the international community.

275. By a letter dated 19 February 1970 (S/9654), the representatives of Iraq, Jordan, the Sudan, Syria and the United Arab Republic transmitted the text of a *communiqué* issued at the close of the conference of five Arab States held in Cairo between 7 and 9 February, in which the "front-line States" condemned United States support for Israel.

276. By a letter dated 24 February (S/9662/Rev.1), the Deputy Permanent Representative of Mongolia transmitted the text of a statement of the Ministry of Foreign Affairs of the Mongolian People's Republic urging a peaceful settlement of the situation in the Middle East as advocated by the Union of Soviet Socialist Republics.

277. By a letter dated 10 March (S/9695), the representative of the Sudan transmitted part of the joint *communiqué* issued at the conclusion of the Sixth Summit Conference of East and Central African States, held in Khartoum from 20 to 28 January 1970, reiterating the call of the OAU for implementation of Security Council resolution 242 (1967).

278. By a letter dated 20 May 1970 (S/9808), the representative of Saudi Arabia transmitted the text of the joint *communiqué* issued at the conclusion of the Islamic Conference of Foreign Ministers, held in Jeddah, Saudi Arabia, from 23 to 25 March 1970, urging the great Powers to intensify their efforts to

secure the withdrawal of Israeli forces from all the territories occupied since the hostilities of June 1967.

(b) *Communications concerning airplane hijacking and other air incidents*

279. In a note dated 3 September 1969 (S/9428), the Secretary-General circulated the text of a cable he had received from the President of the International Federation of Airline Pilots Associations (IFALPA) and his reply to that cable.

280. In his cable dated 1 September, the President of IFALPA requested a meeting with the Secretary-General in connexion with the problem of hijacking. On 29 August he had conveyed to the Foreign Minister of Syria his organization's anxiety over the hijacking of a TWA aircraft to Syria on 28 August, the reported detention of two passengers by the Syrian authorities and the failure of the Syrian Government to punish the hijackers. He stated that that case was part of the alarming growth of the hijacking problem and illustrated the projection of the problem beyond the point of air safety into the political field, which might bring into play actions that could threaten world peace. Accordingly, the Security Council should take the necessary measures to secure the release of the two passengers detained in Syria and to punish the hijackers.

281. In his reply dated 3 September, the Secretary-General agreed to meet with the representatives of the IFALPA. He stated, in connexion with the incident of the TWA aircraft, that he was greatly concerned with the need for the prompt release of all of the aircraft passengers and crew and the aircraft itself. His position on the matter of hijacking had always been that no advantage should be taken by anyone of the criminal act of hijacking, for to do so would only encourage further such reprehensible acts.

282. In a letter dated 25 September (S/9457), the representative of Canada transmitted copies of an exchange of telegrams between the President of the Canadian Airline Pilots Association and the Prime Minister of Canada concerning possible action by the United Nations to find a solution to the problem of unlawful interference with international civil aviation.

283. In a letter dated 12 February 1970 (S/9647), Israel stated that, on 10 February 1970, an attack by Arab terrorists had taken place at Munich Airport against passengers about to board an Israeli civil aircraft on an international flight from Tel Aviv stopping over at Munich. In the attack one Israeli citizen had been killed and many wounded. It transmitted a statement issued by the Ministry for Foreign Affairs denouncing the attack and requesting Governments and international bodies to take necessary measures to ensure the freedom of civil air transport. The letter also recalled that the Security Council, in resolution 262 (1968), had expressed its deep concern about the need to assure free uninterrupted international civil air traffic and that, in resolution 2551 (XXIV) of 12 December 1969, the General Assembly had expressed its deep concern over all acts of unlawful interference with international civil aviation. Israel placed the responsibility for the attack at Munich on the Arab Governments, which, it claimed, were supporting the terrorist organizations.

284. By a letter dated 24 February (S/9661), Israel transmitted the text of a statement by the Prime Minister of Israel concerning an explosion on a Swiss-

air plane on route to Israel, in which forty-seven passengers and crew had lost their lives. The statement charged that terrorist organizations were responsible for such acts of sabotage.

(c) Communications concerning service in the Israeli armed forces by United States citizens

285. In a letter dated 17 October (S/9477), the United Arab Republic drew attention to a statement made in Tel Aviv by the United States Embassy, which it interpreted as meaning that United States citizens could retain their American nationality, even if they became citizens of Israel and enlisted in its armed forces. By that, it charged, the United States was undermining Security Council resolution 242 (1967), which it had pledged to support and was encouraging its citizens to take arms under the Israeli flag against the Arab peoples.

286. By a letter dated 20 October (S/9479), the representative of the United States transmitted a statement by his Government, denying insinuations that it was in any way encouraging Americans to serve in any foreign armed forces. Americans residing abroad were subject to induction for military service, if the law of their country of residence so required, and such service did not automatically entail loss of United States citizenship. In regard to other allegations, the official statement continued, no members of the United States armed forces were operating American aircraft purchased by Israel or serving in the Israeli armed forces.

287. In further letters (S/9480, S/9481 and S/9487), the United Arab Republic, Libya and Iraq expressed the view that the position taken by the United States in permitting its citizens to fight under Israel's flag could only lead to further escalation of the conflict in the area and might lead the Arab Governments to seek support from other nations outside the region.

288. By a letter dated 20 October (S/9484), the United States representative reiterated his Government's stand, stating that State Department officials had made clear to Arab ambassadors that the United States sought to discourage service in the armed forces of foreign countries by its citizens, that no United States military personnel were serving in Israel's armed forces, that some persons with dual nationality might be serving in foreign forces and that United States consular officials assisted dual citizens who sought to avoid induction into the armed forces of another State. Those policies were applied world-wide, and no special status was accorded any country in the Middle East or elsewhere.

(d) Communications concerning the circulation of documents of the Security Council

289. In March 1970, certain communications were sent to the President of the Security Council in connexion with a statement made on 4 March by the Israeli Minister of Foreign Affairs, which had been circulated as an official document of the Security Council (S/9680).⁴

(e) Communication concerning the protection of permanent missions of Arab countries

290. In a letter dated 4 December (S/9532), the representatives of Algeria, Iraq, Jordan, Kuwait, Lebanon, Libya, Morocco, Saudi Arabia, Southern Yemen, the Sudan, Tunisia, the United Arab Republic and Yemen informed the Secretary-General that about forty members of the *Ad Hoc* Committee for the Jewish Defence had entered the premises of the Permanent Mission of Syria in New York the previous afternoon and had staged a "sit-in" for one and a half hours. That was the second time since October 1966 that the Syrian Mission had been subjected to such acts by American Zionists. Furthermore, in the past, several Arab missions to the United Nations and other Arab offices had been subjected to violent acts, including threats to the lives of the Arab ambassadors. After stating that these demonstrations and threats had made their work difficult, they expressed their strong protest and requested the transmission of their protest to the host country of the United Nations and urged that all necessary steps be taken to protect their Missions.

E. Note by the Secretary-General on the four-Power talks

291. On 21 October, the Secretary-General, at the request of the Permanent Representatives of France, the Union of Soviet Socialist Republics, the United Kingdom and the United States, issued a note (S/9485) setting forth the text of a statement released on 20 September by the Foreign Ministers of those four countries. The note indicated that the four Foreign Ministers had met with the Secretary-General for a discussion on the situation in the Middle East, which they regarded as increasingly serious and urgent. They reaffirmed that resolution 242 (1967) of the Security Council should be supported and carried out, agreed that durable peace should be established in the Middle East, reaffirmed that all States in the Middle East had an inalienable right to exist as independent and sovereign States and, with the above objectives in mind, indicated that the conversations and contacts already established by the four Powers would be continued.

⁴ See also chapter 28 below.

Chapter 2

**LETTER DATED 26 DECEMBER 1963 FROM THE PERMANENT REPRESENTATIVE OF CYPRUS
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL**

**A. Communications and reports received between
16 July and 31 December 1969**

292. On 3 December 1969, the Secretary-General submitted to the Council his sixteenth report on the United Nations operation in Cyprus covering the period from 3 June to 1 December 1969 (S/9521 and Corr.1

and Add.1 and Corr.1). The Secretary-General said that since December 1967 the situation in Cyprus had continued to improve slowly but steadily. There had been few intercommunal incidents and no major breaches of the cease-fire. The atmosphere of mutual restraint and calm had helped to create a climate of better understanding between the two communities in

certain aspects that had greatly facilitated the solution of numerous day-to-day problems. However, solutions of the basic problems dividing the two communities were still not in sight. The intercommunal talks had yet to achieve any meaningful agreement on the basic political issues. The Secretary-General expressed concern over the slow progress in the intercommunal talks and said that he had pointed out that the passage of too much time might hamper the settlement. He hoped that with the resumption of talks the parties would exert firm efforts and make mutual concessions in order to achieve agreement on substantive issues. He urged the parties involved to negotiate measures regarding military disengagement, and a return to normal conditions. To that end the parties could revise their policy of keeping a large number of young men under arms and reconsider the proposals of the United Nations Peace-keeping Force in Cyprus (UNFICYP) for replacing military sentries by police along Nicosia Green Line. Meanwhile the situation remained basically unstable and uncertain. The Secretary-General therefore recommended that the UNFICYP mandate should be extended for another six months until 15 June 1970 and informed the Council that all the parties concerned had indicated their agreement to the proposed extension. In view of his deepening concern over the financial difficulties facing UNFICYP, he had appointed a secretariat survey team in August 1969 to examine the financial situation of the Force with a view to reducing its cost. The Secretary-General annexed the report presented by the survey team and said that inasmuch as he had found its suggestions sound, he intended to put them into effect in consultations with the parties concerned. The measures suggested, however, could only alleviate the financial problem; a more adequate method of financing or a substantial increase in voluntary contributions was necessary to achieve its solution.

B. Consideration at the 1521st meeting (11 December 1969)

293. At the 1521st meeting of the Security Council, on 11 December 1969, the Secretary-General's report was included in the agenda. The representatives of Cyprus, Turkey and Greece were invited, at their request, to participate in the discussion without the right to vote. The President of the Council announced that as a result of prior consultations agreement had been reached on the text of the following draft resolution:

The Security Council,

"Noting from the report of the Secretary-General of 3 December 1969 (S/9521) that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 15 December 1969,

Noting, from the observations in the report, that the improvement of the situation in Cyprus has continued during the period under review,

1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December

1964, 201 (1965) of 19 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December 1966, 238 (1967) of 19 June and 244 (1967) of 22 December 1967, 247 (1968) of 18 March, 254 (1968) of 18 June and 261 (1968) of 10 December 1968, and 266 (1969) of 10 June 1969 and the consensus expressed by the President at the 1143rd meeting on 11 August 1964 and at the 1383rd meeting on 24 November 1967;

"2. Urges the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council by availing themselves in a constructive manner of the present auspicious climate and opportunities;

"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 June 1970, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force."

294. The representative of Cyprus observed that since December 1967 peace had prevailed in the island. The holding of United Nations and other international conferences in Cyprus, with the participation of Turkish Cypriots, had contributed to improving the political climate. There had been progress towards normalization in various fields, particularly in agriculture, business and public services. In the economic field, as noted in the Secretary-General's report, there were encouraging signs of a growing awareness of the need to reverse the trend towards separate economic development. However, two important aspects of normalization, freedom of movement and deconfrontation, had not shown any tangible improvement. Although the Cyprus Government had continued to adhere to the policies of lifting the restrictions on the movement of persons and goods in and out of the Turkish Cypriot enclaves and had accepted certain measures proposed by the Force Commander, General Martola, for lessening the acuteness of confrontation, there had been no positive response from the other side. Despite the regrettable slow pace of the intercommunal talks, there was no impasse; they were being conducted with goodwill and determination. Their value lay not so much in their expeditious conduct but in their enabling agreement on a sound solution to be reached. The agreed basis of the talks was that of a unitary State; within that framework his Government was prepared to reach accommodation.

295. The representative of Turkey said that the encouraging developments reported by the Secretary-General in the relations of the two communities in the island showed that the Turkish community was ready to reciprocate with goodwill any gesture that did not entail any infringement of its constitutional rights. Certain decisions, however, had been disquieting, such as the law, in violation of the Constitution, authorizing the Minister of the Interior to organize a task force of the National Guard to perform police duties. He also regretted certain statements by Greek Cypriot leaders reverting to the theme of *enosis*. Referring to the matter of freedom of movement, he said that the Turkish community's minimum requirements of security should not be summarily labelled by the other party as an unco-operative attitude. The Turkish Govern-

ment strongly supported the intercommunal talks and believed that they could provide a basis for the two communities to make further concrete moves towards agreement on a democratic constitutional scheme.

296. The representative of Greece said that the maintenance of UNFICYP was necessary to contribute to the internal peace and tranquillity that were essential to the successful outcome of the talks. At the current stage he felt that both parties must intensify their efforts and speed up their talks. He believed that the will and determination to resolve their difficulties peacefully existed on both sides. While awaiting a general settlement, partial arrangements could be made with regard to deconfrontation and freedom of movement.

297. The representative of the Union of Soviet Socialist Republics reaffirmed its position of principles on peaceful settlement of the question of Cyprus and stated that the USSR was strongly opposed to any attempt to encroach upon the sovereignty of Cyprus and to solve the Cyprus question to the advantage of the NATO military bloc. His Government regarded the intercommunal talks as within the domestic jurisdiction of Cyprus and looked forward to their early success. He also reaffirmed the Soviet position concerning the withdrawal of all foreign troops from Cyprus and the dismantling of the foreign military bases situated there. His delegation would not oppose adoption of the resolution extending the Force's mandate on the strict condition that it would be carried out in full conformity with the provisions of Security Council resolution 186 (1964) of 4 March 1964.

Decision: At the 1521st meeting, on 11 December 1969, the draft resolution was adopted unanimously as resolution 274 (1969).

298. In the statements after the voting, the representative of the United Kingdom that many representatives had been disturbed at the deficit on the Cyprus operation and that the recommendations of the survey team sent by the Secretary-General to Cyprus required urgent attention. He said that the people of Cyprus for generations had lived in amity on the island; there was no reason why they should not do so again. The need for reconciliation and economic co-operation could already be seen at work. Such a trend must be encouraged in the political and military spheres with confidence, because all concerned, including the Governments of Greece and Turkey, had rejected any attempt to force a solution by military action; all had recognized that only a political settlement was possible.

299. The representative of France said that despite some isolated incidents there had been confirmed progress towards a return to normal conditions. It was regrettable, however, to note that there had been no solution to the fundamental problems dividing the two communities. His delegation feared that such immobility would engender a hardening of the conflicting positions. Meanwhile, any measure of military disengagement on both sides would limit the zones of confrontation and favour a return to a situation of lasting peace. His delegation favoured any possible implementation of the suggestions of the survey team for reducing UNFICYP costs.

300. The representative of the United States said that indications of greater contacts between the two communities occasioned hope that the period of tension lay in the past; however, it was regrettable that progress was not possible in the areas of freedom of

movement and deconfrontation. The United States welcomed the continuation of the talks but was concerned at their slow pace. His delegation urged both sides to maintain attitudes of compromise and to examine their positions in the long-term best interests of the people of Cyprus as a whole rather than the short-term strengthening of one community or the other. He reiterated his Government's concern over the financial situation of UNFICYP and welcomed the report of the survey team. Although careful study was required by all concerned, his delegation believed certain suggestions feasible. His Government maintained that a Cyprus-type multilateral peace-keeping operation should not be heavily dependent on any one Member State and urged Member States to re-examine their positions and contribute generously.

301. The representative of Finland regretted that, despite some modest advance towards normal conditions of life, no substantive progress had been made in the intercommunal talks on the basic issues. Hence the Secretary-General's warning that the passage of too much time might hamper a settlement remained valid. He reiterated his Government's view that peace-keeping operations based on decisions that the Security Council had taken on behalf of all Member States should be paid for by all. The Finnish Government concurred with the views of the Secretary-General that a solution of the problem could be achieved only by the adoption of a more adequate method of financing or increased voluntary contributions. Since the Council now had decided to extend the mandate, he was authorized to state that Finland was prepared to maintain the contingent with UNFICYP for the next period under the same arrangements as before. Similarly, Finland was prepared to continue voluntary financial contributions for the maintenance of the Force. It did so in the expectation that the two parties most directly concerned would make a major effort to break the present deadlock. As to the proposals regarding the reorganization of the Force made by the secretariat survey team, the Finnish delegation noted that it was the intention of the Secretary-General to consult with the Finnish, Swedish and Danish Governments on their contingents.

302. The representative of Hungary considered the problem of Cyprus an internal affair of the people of Cyprus. His delegation welcomed the resumption of the intercommunal talks and agreed to the extension of the UNFICYP mandate on the understanding that that renewal was based on Council resolution 186 (1964).

303. The President, speaking as the representative of Zambia, said that his Government was gratified to note the continuing improvement in the situation but felt that the parties involved should make increased efforts to resolve their problems. He expressed his Government's appreciation to the Secretary-General for his efforts and to all United Nations personnel engaged in maintaining peace in Cyprus.

304. On 16 December 1969, the Secretary-General informed the members of the Council (S/9251/Add.1) that, following consultations with the parties concerned, he had appointed Major-General Dewan Prem Chand to succeed General Martola as Force Commander.

C. Communications and reports received between 1 January and 15 June 1970

305. On 17 February, the Secretary-General appealed to all States Members of the United Nations or

members of the specialized agencies for voluntary contributions to meet the cost of the United Nations Peace-keeping Force in Cyprus for the period from 16 December 1969 to 15 June 1970 (S/9659).

306. By a letter dated 19 February 1970 (S/9655), the representative of the USSR transmitted a statement of the TASS news agency which declared that international imperialist circles had been trying to exacerbate the situation in the island and that there was evidence of increased activity by the "National Front" and reactionary forces associated with the Greek military régime which posed a serious threat to the independence and security of Cyprus. The statement added that the intensification of anti-State activity in Cyprus reflected the efforts of certain NATO circles to wreck the inter-communal talks and create a pretext for NATO intervention.

307. In letters dated 24 and 25 February (S/9664 and S/9667 respectively) the representatives of Greece and Cyprus communicated the views of their Governments regarding the TASS statement. The Greek Government denied the alleged connexion between Athens and the terrorist elements in the island and pointed out that the Greek Prime Minister had recently expressed support of the Cypriot Government. In its communication the Cypriot Government stated that it did not concur with the TASS allegation that Greek officers had been involved in any activities against the Republic of Cyprus.

308. On 1 June, the Secretary-General submitted to the Council his seventeenth report (S/9814 and Corr. 1 and 2) on the United Nations operation in Cyprus. The Secretary-General said that the continuing calm that had characterized the intercommunal situation in Cyprus had been disturbed during the period covered by his report by certain acts of violence occurring within one of the communities and culminating in the attempt on the life of President Makarios on 8 March. Those developments had tended to increase tension and apprehension in the island; but as a result of determined steps taken by the Cyprus Government and the restraint shown by the Turkish community and its leaders, tension had, to a large extent, subsided. The Secretary-General reiterated his concern at the lack of progress in the intercommunal talks and said that it would be unrealistic in the prevailing circumstances to expect an early solution of the basic problems of Cyprus. In spite of all the difficulties, he felt that the elements necessary for a political settlement in Cyprus did exist and that a compromise solution, protecting the legitimate interests and aspirations of both communities, could be worked out. Therefore, he appealed to both sides to continue the negotiations in good faith, with a determination to achieve results and a willingness to make concessions. In that respect, the Secretary-General also expressed hope that despite the recent tension in the island, the Turkish Cypriot leadership might find itself in a position to respond to the persistent efforts made by his special representative and the Commander of UNFICYP to lessen the areas of confrontation and to accelerate the normalization process. The Secretary-General stated that reductions both in the strength and the cost of UNFICYP had been put into effect during the past six months but the financial situation was increasingly serious. Unless additional contributions were received, there would be a deficit of approximately \$7.5 million by 15 June 1970. In view of the prevailing situation in Cyprus, the Secretary-General saw no alternative but to recommend

a further extension of the mandate of UNFICYP until 15 December 1970, a proposal in which all the parties had concurred.

D. Consideration at the 1543rd meeting (9 June 1970)

309. At the 1543rd meeting of the Security Council on 9 June, the report of the Secretary-General (S/9814 and Corr. 1 and 2) was included in the agenda. The representatives of Cyprus, Turkey and Greece were invited, at their request, to participate in the discussion without the right to vote. The President of the Council announced that as a result of prior consultations, an agreement had been reached on the text of the following draft resolution:

"The Security Council,

"Noting from the report of the Secretary-General of 1 June 1970 (S/9814) that in the present circumstances the United Nations Peace-keeping Force in Cyprus is still needed if peace is to be maintained in the island,

"Noting that the Government of Cyprus has agreed that in view of the prevailing conditions in the island it is necessary to continue the Force beyond 15 June 1970,

"Noting also from the report the conditions prevailing in the island,

"1. Reaffirms its resolutions 186 (1964) of 4 March, 187 (1964) of 13 March, 192 (1964) of 20 June, 193 (1964) of 9 August, 194 (1964) of 25 September and 198 (1964) of 18 December 1964, 201 (1965) of 9 March, 206 (1965) of 15 June, 207 (1965) of 10 August and 219 (1965) of 17 December 1965, 220 (1966) of 16 March, 222 (1966) of 16 June and 231 (1966) of 15 December 1966, 238 (1967) of 19 June and 244 (1967) of 22 December 1967, 247 (1968) of 18 March, 254 (1968) of 18 June and 261 (1968) of 10 December 1968, and 266 (1969) of 10 June and 274 (1969) of 11 December 1969, and the consensus expressed by the President at the 1143rd meeting on 11 August 1964 and at the 1383rd meeting on 24 November 1967;

"2. Urges the parties concerned to act with the utmost restraint and to continue determined co-operative efforts to achieve the objectives of the Security Council by availing themselves in a constructive manner of the present auspicious climate and opportunities;

"3. Extends once more the stationing in Cyprus of the United Nations Peace-keeping Force, established under Security Council resolution 186 (1964), for a further period ending 15 December 1970, in the expectation that by then sufficient progress towards a final solution will make possible a withdrawal or substantial reduction of the Force."

310. The representative of Cyprus said that the report of the Secretary-General showed that relations between the Greek and Turkish Cypriots continued to improve. Good co-operation had been maintained in the economic, agricultural and public service fields. Regrettably there had been no change regarding freedom of movement. It was a matter of serious concern to his Government that the Greek Cypriot people were still denied free access to areas controlled by Turkish Cypriots and to vital public roads. He expressed con-

cern at the intercommunal talks were proceeding rather slowly. The question of local administration had proved the most intractable issue, both in its meaning and application. In his view, local government applied to specific geographical localities and could not be based on ethnic criteria, nor could it be conceived as a separate entity to the extent of creating a State within a State. His Government was ready to make concessions, but it could not go beyond the framework of a unitary State. It was encouraging that the negotiators had emphasized that the talks had not failed and that they should be continued despite the difficulties involved.

311. The representative of Turkey expressed regret that the progress achieved towards the return to normal conditions had been disturbed by acts of violence in March 1969. He was pleased to note that in reporting the events the Secretary-General had given due credit to the restraint shown by the Turkish community and its leaders, which, as indicated in the report, had contributed to an early stabilization of the situation. That constructive attitude proved once more the desire of the Turkish Cypriots for a peaceful and agreed settlement of the Cyprus question. Nevertheless, the tension generated by those developments and the subsequent discovery by the Greek Cypriot authorities of considerable quantities of illegally held weapons, coupled with statements by Greek Cypriots reverting to the theme of *enosis*, had inevitably caused deep concern in the Turkish Cypriot community. In those circumstances, the cautious attitude of the Turkish Cypriot leadership regarding freedom of movement was understandable. Referring to the intercommunal talks, he said that despite the difficulties encountered important work had been done; the perseverance and determination of the negotiators gave grounds for encouragement and hope. His Government believed that a successful outcome of the talks would depend on realism, a constructive approach and statesmanship.

312. The representative of Greece felt that the intercommunal talks were marking time. In his view, they should be speeded up, for delay could result in a hardening of positions. The reasons for the lack of progress in the talks, he said, were mainly political: the Cypriot Government agreed that the identity, interests and security of the Turkish Cypriots should be taken into account in any peace settlement; at the same time it was determined that the unitary character of the State of Cyprus be preserved. He stated that his Government had been the first to condemn the recent acts of violence in the island; those events, however, had in no way affected intercommunal relations which, according to the Secretary-General's report, had continued to improve. He hoped the Turkish Cypriots would show more understanding regarding deconfrontation and freedom of movement.

Decision: At the 1543rd meeting on 9 June 1970, the draft resolution was adopted unanimously, as resolution 281 (1970).

313. In his statement following the voting, the representative of the United Kingdom reaffirmed his Government's unqualified support for the independence and unity of Cyprus. He stated that his delegation agreed whole-heartedly with the Secretary-General's appeal that the intercommunal talks be continued in good faith and with a due sense of urgency. He noted with appreciation the increased level of co-operation between the communities at the village level for the solution of day-to-day problems and hoped that that would lead

to co-operation at higher levels. His delegation was grateful for the efforts of the Secretary-General to reduce the cost of the UNFICYP operation, especially by reducing the size of the Force. It was clear from the report that there was little if any scope for more cuts in the immediate future, but his delegation hoped that the Secretary-General would keep in mind the possibility of further reductions in consonance with the needs of the situation.

314. The representative of Zambia expressed his feeling that extension of the mandate of UNFICYP was in the interest of all the people of Cyprus. His delegation supported the efforts for national reconciliation and looked forward to the day when it would be no longer necessary to maintain a United Nations Force in Cyprus.

315. The representative of France said that the persistence of tension, together with the absence of any significant progress in the intercommunal talks, led to the conclusion that, despite improved co-operation between the two communities, no quick solution to the basic problems of Cyprus could be expected. He feared that the prolonged presence of UNFICYP, although ensuring the maintenance of a precarious peace, had tended to crystallize a dangerous situation and might serve as a pretext for postponing a final settlement indefinitely.

316. The representative of the Union of Soviet Socialist Republics reaffirmed his Government's position that the internal problems of Cyprus must be settled by peaceful means and without foreign interference, in the interest of the two communities. The independence, sovereignty and territorial integrity of the Republic of Cyprus, he added, must be strengthened, particularly at a time when imperialist forces, and their agents in Cyprus, had increased tension in the island through acts of terrorism and violence, culminating in the attempt on the life of President Makarios. Recent events showed that foreign military bases and troops in Cyprus constituted a continuing source of tension and should be dismantled. His delegation shared the Secretary-General's concern at the lack of progress in resolving the outstanding problems between the two communities but felt that the talks were being obstructed by imperialist circles not interested in a successful outcome which would interfere with their plans for a settlement of the Cyprus question favourable to the NATO countries. Although it considered the UNFICYP could not remain in Cyprus indefinitely, the USSR had not opposed an extension of the Force's mandate on the understanding that its renewal was in strict conformity with the provisions of Security Council resolution 186 (1964) of 4 March 1964, including voluntary financing.

317. The representative of Burundi said that the restoration of peace and the creation of a political and social climate propitious to unity among the people of Cyprus were essential prerequisites to the establishment of a unitary, sovereign State of Cyprus, which his Government firmly supported.

318. The representative of Poland stated that the deterioration of the situation in Cyprus reflected in the current report of the Secretary-General was not accidental; it was evident that certain NATO countries had been intensifying tension in the island because of their growing activities in the Mediterranean and the Middle East. Poland had always supported the independence, sovereignty and the territorial integrity of the Republic of Cyprus; the removal of foreign military bases from

the island and the peaceful solution of the Cyprus question without foreign interference. He added that his delegation agreed to the extension of the mandate of UNFICYP on the understanding that the functions and voluntary financing of the Force would be maintained. His delegation concurred with the view that it was not normal that the United Nations forces had been stationed in Cyprus for more than six years, and hoped that the opportunity would soon arise when the United Nations troops could be withdrawn from the island.

319. The representative of the United States said that his delegation was pleased to note that implementation of measures recommended by the Secretariat survey team had increased the operational flexibility and effectiveness of the Force and had resulted in significant savings. It was encouraging that the intercommunal situation had remained calm despite the heightening of tension. He expressed gratification that the attack on President Makarios had failed and that the measures taken by the Government, together with the restraint by the Turkish Cypriot leadership, had permitted tensions to subside. However, it was regrettable that United Nations proposals in the areas of deconfrontation and normalization had not been put into effect. His delegation was disappointed at the continued lack of progress in the intercommunal talks and reiterated its appeal to both parties to maintain attitudes of compromise and accommodation. He agreed with the Secretary-General's view that the elements necessary for a political settlement did exist in Cyprus and that a compromise solution protecting the legitimate interests of both communities could be worked out. But he wished to point out that, as the negotiations stretched out in time, the isolation of the two communities would tend to encourage the development of separate civic roots and hinder achievement of a just

solution. Referring to the financial situation of UNFICYP, he said that the measures taken to lower costs might contribute indirectly to a worsening of the situation if they led members to conclude that the financial crisis was over. His delegation therefore urged, once again, that Member States should be approached for increases in the level of contributions.

320. The representative of Syria said that the situation in Cyprus concerned all Asia, as peace in that island was a basic condition for peace throughout the Mediterranean and the whole of Asia. He expressed the hope that the two communities would be able to overcome the legacy of imperialism and reach full understanding for a peaceful and just solution of their differences.

321. The representative of Sierra Leone said that, despite the slow progress of talks, his delegation was convinced that while the two communities were engaged in explanatory negotiations the fear of involvement in fighting was reduced and the hope for a peaceful settlement would not be diminished. His delegation had voted for the resolution because it felt that removal of the Force would result in a reversal of the trend towards normalization and stability.

322. Before concluding the meeting, the President expressed gratification that the Council had acted unanimously to extend the mandate of UNFICYP and expressed the hope that the additional period would be utilized more fruitfully to achieve the objectives of the Council.

323. On 23 June 1970 the Secretary-General issued an appeal (S/9849) to States Members of the United Nations and members of the specialized agencies for further voluntary contributions for the financing of the United Nations Peace-keeping Force in Cyprus for the period from 16 June to 15 December 1970.

Chapter 3

LETTER DATED 17 AUGUST 1969 FROM THE PERMANENT REPRESENTATIVE OF IRELAND ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/9394)

A. Request for a meeting of the Security Council

324. In a letter dated 17 August 1969 (S/9394) addressed to the President of the Security Council, the representative of Ireland, on instructions from his Government, requested an urgent meeting of the Security Council in accordance with Article 35 of the Charter. He stated that the preceding week had witnessed the development of a situation in the six counties of Northern Ireland, set off on 12 August by a parade in the city of Derry and stemming from the treatment which many inhabitants had suffered for a period of almost fifty years, which the Royal Ulster Constabulary had been unable to control and which had led to the intervention of British military forces. Proposals by his Government that the United Kingdom ask for the dispatch of a United Nations peace-keeping force and, subsequently, that a joint British-Irish peace-keeping force be established had been rejected by the British Government. The Government of Ireland therefore felt obliged to appeal to the Security Council for the dispatch of a United Nations peace-keeping force, since it could not stand by and see the people in the six counties of Northern Ireland suffer injury; nor could it tolerate the tensions created along the border between

the two areas which might give rise to serious disturbances in its own State. The letter expressed the hope that the Irish delegation would be permitted to be heard at all stages of the discussion of its request by the Council in order to present its case in more detail.

325. By a letter dated 18 August 1969 (S/9396) addressed to the President of the Security Council, the Minister of External Affairs of Ireland stated that his Government had named him as its representative in the Council's discussions on the question raised in its letter of 17 August.

B. Question of the adoption of the agenda

326. The Security Council met to consider the item at its 1503rd meeting held on 20 August 1969.

327. In connexion with the adoption of the provisional agenda, the representative of the United Kingdom stated that the principle of domestic jurisdiction set out in Article 2, paragraph 7, of the United Nations Charter was fundamental; if breached or eroded, the consequences would be most serious not only for individual Council members but for the United Nations.

No State would accept unwelcomed interference in its domestic affairs. It was the duty of the Council to uphold the principle of domestic jurisdiction by opposing the inscription of the item on the agenda, as to do otherwise would undermine the agreed basis in international law on which the United Nations was founded. Northern Ireland, he continued, had long been an integral part of the United Kingdom. Accordingly, events there were an internal matter for the United Kingdom Government, which was taking the necessary action to restore and maintain order in the area. United Nations intervention against the wishes of the United Kingdom would be in violation of Article 2, paragraph 7, of the Charter. Moreover, the situation in Northern Ireland was under control, and there was no question of a threat to international peace and security. The Permanent Representative of Ireland, in his letter, had sought to raise the question of Article 35 of the Charter, but neither Article 35 nor any other Article of the Charter could possibly be regarded as prevailing over the specific provisions of Article 2, paragraph 7. His delegation had always favoured consideration by the Council of all issues properly raised. However, it considered that the Council could not debate a matter outside its competence. Furthermore, a public debate would inflame feelings and might well prejudice the efforts being made to maintain order and restore public confidence.

328. The representative of Finland said that although his delegation also had doubts about the right of the United Nations under the Charter to intervene in the matter, it felt that it would be fair and a matter of courtesy to let the Foreign Minister of Ireland address the Council. That would in no way prejudice the question raised by the representative of the United Kingdom, and it could be done in a way that it would not constitute a precedent. He proposed, therefore, that the Security Council, before taking a decision on its agenda, invite the Minister for External Affairs of Ireland to make a statement to the Council in explanation of his Government's request contained in document S/9394.

329. The representative of the United Kingdom stated that although hearing representatives before the adoption of the agenda was unusual, his delegation, as a matter of courtesy to the Foreign Minister of Ireland, would not object to the proposal of the representative of Finland.

330. There being no objection to the proposal of Finland, the President of the Council invited the Minister for External Affairs of Ireland to make a statement.

331. The Minister for External Affairs of Ireland stated that the Council should not accept the contention that the question fell exclusively within the domestic jurisdiction of the United Kingdom. Ireland did not concede the right of Britain to exercise control of the north of its country, although it had lived for some time with the reality of British control there without renouncing its long-standing claim. In other instances, Article 2, paragraph 7, had not been applied in the rigid manner suggested by the United Kingdom representative. There was no doubt, he said, that the situation in Northern Ireland was grave and could affect relations between Great Britain and Ireland. The current crisis had been brought about by the decision of the Government of the six counties to allow the hold-

ing of a provocative parade by a Protestant sectarian organization at Derry, despite the warnings of his Government about the dangers involved. The disturbances at Derry had quickly spread to other towns in the area and had led to the loss of life, the destruction of property and the virtual collapse of law and order. The calling of British troops had been a confession of the inability of the Government of the six counties to maintain law and order impartially through its police force. There was need, he stressed, for an impartial peace-keeping force, inasmuch as the use of British troops, although the lesser of two evils, constituted a basic factor in the perpetuation of partition. He set forth certain considerations which his delegation felt should lead the Council to deal with its request but recognized that members might wish to pause before agreeing to inscribe the item. However, the persistent denial of their civil rights to a large part of the population, which had been the immediate cause of the recent tension, was in itself a matter sufficient to justify the Council's attention. Due weight should also be given to the desirability of obviating the risk that the tension might spread beyond the area itself and lead to friction between two neighbouring Member States.

332. The representative of the Union of Soviet Socialist Republics, supporting the request by Ireland for convening the Council, said that the policy of the British authorities in respect of Northern Ireland was aimed at maintaining it in an unequal position. Discrimination was prevalent, and the civil rights of a large part of the population had been restricted. The British Government should take measures to put an end to the persecution of those who were fighting for the elimination of inequality and discrimination and should create conditions for the solution of problems in conformity with the wishes of the people of Northern Ireland.

333. The representative of the United Kingdom, commenting on some of the points raised by the Foreign Minister of Ireland, said that there was no basis for the contention that the situation in Northern Ireland was in any way an international matter. The Irish Republic had over the years recognized the fact of partition and had accepted its consequences. The arrival of British troops had been welcomed by the people, and those troops had discharged their duties with fairness and impartiality. As for the question of human rights, his Government, in a declaration issued as recently as the previous day, had publicly confirmed the principle of equality of treatment and freedom from discrimination for all citizens of Northern Ireland, irrespective of political views or religion. His delegation had expected that the Council, having heard the Foreign Minister of Ireland, would proceed to vote on the adoption of the provisional agenda, but it would not object if the Council decided to adjourn, on the understanding that it was the wish of the Council not to accept and proceed with the item proposed.

334. The representative of Zambia, noting that the dispatch of troops by the United Kingdom demonstrated the gravity of the situation, said that in the light of the statements made during the meeting it might be wise to postpone a decision on whether or not to adopt the provisional agenda. Accordingly, he proposed that the meeting be adjourned.

335. The motion by the representative of Zambia was adopted without objection, and the Council adjourned.

THE SITUATION IN NAMIBIA: LETTER DATED 24 JULY 1969 ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL BY THE REPRESENTATIVES OF CHILE, COLOMBIA, GUYANA, INDIA, INDONESIA, NIGERIA, PAKISTAN, THE UNITED ARAB REPUBLIC, TURKEY, YUGOSLAVIA AND ZAMBIA (S/9359)

A. Communications to the Security Council and request for a meeting

336. By a letter dated 23 July 1969 (S/9352), the President of the United Nations Council for Namibia informed the President of the Security Council that the United Nations Council for Namibia had considered the situation resulting from the reaction of the Government of South Africa to Security Council resolution 264 (1969), set forth in the report by the Secretary-General of 14 May 1969 (S/9204), and had unanimously expressed its great concern at that Government's refusal to comply with the provisions of the resolution. The letter further stated that South Africa's continuing illegal occupation of Namibia in open defiance of General Assembly resolutions 2145 (XXI) and 2248 (S-V) had prevented the United Nations Council for Namibia from discharging its responsibility for administering the Territory in an effective manner and that since the adoption of Security Council resolution 264 (1969), the Government of South Africa had taken fresh measures with a view to dividing Namibia into separate "homelands". In addition, the Government had recently indicted eight Namibians charged with offences under its Terrorism Act and Suppression of Communism Act. Under the circumstances, the United Nations Council for Namibia had concluded unanimously that the Security Council should take urgent measures to ensure speediest possible implementation of its resolution 264 (1969).

337. In a letter dated 24 July 1969 (S/9359), addressed to the President of the Security Council, representatives of eleven States, members of the United Nations Council for Namibia, requested an urgent meeting of the Council to consider the situation resulting from South Africa's wholly negative reaction to Security Council resolution 264 (1969) and from the measures it was continuing to take in defiance of the authority of the Security Council and the General Assembly.

338. By a letter dated 1 August 1969 (S/9373/Add.1-3), addressed to the President of the Security Council, the representatives of fifty-one Member States associated themselves with the above-mentioned request for urgent action by the Security Council to deal with the situation in Namibia. The letter stated that the situation resulting from South Africa's defiance of the United Nations, in particular its failure to comply with Security Council resolutions 245 (1968), 246 (1968) and 264 (1969), was urgent and serious and that only resolute action by the Council, under the provisions of Chapter VII of the Charter, could achieve the objective of securing the immediate withdrawal of South Africa from Namibia.

B. Consideration at the 1492nd to 1497th meetings (30 July-12 August 1969)

339. At its 1492nd meeting, on 30 July, the Security Council began its consideration of this item and, at his request, invited the representative of Chile, who

was also President of the United Nations Council for Namibia for that month, to participate in the discussion without vote.

340. At the same meeting, the representative of Colombia said that since the adoption of Security Council resolution 264 (1969), the Government of South Africa had taken new steps for the establishment of "homelands" and other illegal actions. The laws enacted by South Africa for the fragmentation of the territory of Namibia constituted a flagrant violation of the international obligations undertaken by that Government and involved not only the General Assembly and the Security Council resolutions but the international status of a territory that had never belonged to South Africa. South Africa's disregard for United Nations resolutions was evidenced further in a statement made on 20 March 1969 by its Foreign Minister in the South African Senate (S/9204, annex I). The Colombian delegation believed that the point had been reached where it had become necessary to prevent further deterioration of the authority of the Security Council and of the United Nations as a whole. In its resolution 264 (1969) the Security Council had decided that if the Government of South Africa failed to comply with the provisions of that resolution, it would meet immediately to determine further measures in accordance with the relevant provisions of the Charter. In view of the negative response of South Africa to that resolution, the Security Council must decide on the measures necessary to meet the situation.

341. The representative of Zambia stated that the Security Council was meeting as a consequence of South Africa's defiance of Security Council resolution 264 (1969). That resolution had represented a step forward in international action against South Africa since it had stipulated clearly that in the event of failure on the part of the Government of South Africa to comply with its demands, the Security Council would meet to adopt measures to end further defiance by that Government. South Africa's negative response to resolution 264 (1969) was manifest in the statements by its Foreign Minister on 20 March 1969 and by its Prime Minister the following day (S/9204, annex I). Those developments had made it imperative for the Council to abandon its illusions and admit that more effective measures were required to solve the situation in Namibia. The problem before the Council was one of implementation of the many decisions of the United Nations. Paragraph 7 of resolution 264 (1969) had invited all States to exert their influence in order to obtain South Africa's compliance with that resolution. That paragraph, in effect, had envisaged both economic and diplomatic pressure. His delegation had hoped that all Members of the United Nations would assist the efforts of the international community to create a more favourable environment for a change without violence in Namibia. However, the increasing military supplies to South Africa had only encouraged that State to continue its suppression of the majority, and to increase its assistance to Rhodesia. It was also evident that South Africa would continue its defiance of the United Nations as long as the relevant Articles of Chapter VII

of the Charter were not invoked. To talk of freedom for Namibia without agreeing to measures that would bring about such independence amounted to hypocrisy. His delegation hoped that those who opposed application of Chapter VII of the Charter against South Africa would offer the Council a more attractive alternative aimed at compelling South Africa to comply with General Assembly and Security Council decisions relating to Namibia.

342. At its 1493rd meeting, on 4 August, the Council invited the representative of India, at his request, to participate, without vote, in the discussion.

343. At the same meeting, the representative of Algeria stated that the categorical refusal of South Africa to comply with Security Council resolution 264 (1969) should be dealt with by the Council unambiguously. In its defiance, South Africa was being assisted by international monopolies and, with their help, it was continuing to exploit the mineral resources of Namibia, whose people had been reduced to the status of slavery. That situation was in complete violation of the right of self-determination of the people of Namibia and the principles of the Charter of the United Nations. The Council, which on several occasions had declared its responsibility with respect to the people of Namibia, must take all appropriate measures to put an end to the military and civil occupation of Namibia by the South African authorities. It must take clear decisions in conformity with the relevant provisions of the Charter and in particular of Chapter VII. Those decisions should involve the reaffirmation of the legitimate rights of the Namibian people to carry on their liberation struggle and the people must be given concrete moral and material assistance in that struggle. Further, South Africa must be asked to leave the territory within a given time limit and an invitation should be addressed to all States to deny South Africa any right to speak on behalf of Namibia. Finally, an invitation should be issued to the authorities in Namibia calling upon them to abstain from hampering the carrying out of the decisions of the Security Council with respect to Namibia.

344. The representative of Nepal said that South Africa's refusal to comply with resolution 264 (1969) and statements made by the Foreign Minister and the Prime Minister of South Africa on 20 and 21 March respectively had made it clear that South Africa did not intend to withdraw its administration from Namibia. Furthermore, South Africa's occupation was based upon the policies of *apartheid* and the aim of those policies was the destruction of the national unity and territorial integrity of Namibia. Recent reports concerning the indictment of eight Namibians in South Africa under the so-called Terrorism Act was further defiance by South Africa of the authority of the United Nations, as the General Assembly and the Security Council both had rejected the competence claimed by South Africa to try Namibian nationals under that Act. It must be recalled that as a Member State of the United Nations South Africa must carry out the obligations it had assumed on becoming a Member. The representative of Nepal then said that South Africa's occupation of a Territory which was under the direct responsibility of the United Nations amounted to an act of aggression against the United Nations itself, and had created a situation which was fraught with great danger to international peace and security. The Security Council was duty bound to take immediate and necessary steps in accordance with the relevant provisions of the Charter

to remedy the situation and to secure the speediest implementation of resolution 264 (1969). That would be in accordance with the request (S/9359) made to the Council by eleven Member States who constitute the United Nations Council for Namibia and also the request made by fifty-one African-Asian Member States. In that respect a heavy responsibility lay upon the permanent members of the Security Council who should discharge their special responsibility for the maintenance of international peace and security as there was no doubt that the defiance of South Africa had created a situation which constituted a threat to international peace. It was also necessary that South Africa should not receive any further aid from some of the Powers who also happened to be permanent members of the Security Council and their allies. Indeed, those Powers should explore all possibilities provided by the Charter to deal effectively with the present situation in Namibia.

345. The representative of Pakistan stated that Security Council resolution 264 (1969) constituted a major step forward, to the extent that the Council recognized its own responsibility in the question of Namibia. By that resolution the Council, having considered the continued presence of South Africa in Namibia as illegal, had called upon the Government of South Africa to withdraw immediately its administration from the Territory. The Council's present meeting was called because of South Africa's wholly negative reaction to resolution 264 (1969). Besides its defiance of the authority of the Security Council and the General Assembly, South Africa also had refused to hold itself accountable to anyone with respect to its long list of illegal actions, including violations of human rights, relating to a territory, the international status of which was beyond question. It was quite clear that South Africa would not alter its defiant attitude towards the resolutions of the United Nations as was evident from the statement of the South African Foreign Minister on 20 March (S/9204). Given the fact that repeated warnings by the Security Council of effective measures in conformity with the relevant provisions of the Charter had failed to dissuade South Africa, the time had come for translating the warnings into action under Chapter VII of the Charter of the United Nations.

346. The representative of India said that the Security Council, faced with a situation in which a Member State had defiantly refused to fulfil its obligations under Article 25 of the Charter, was duty bound to honour its commitment under resolution 264 (1969) and to decide upon effective measures for securing the immediate withdrawal of South Africa from Namibia. His delegation believed that only resolute action by the Council under the provisions of Chapter VII of the Charter could achieve that objective. There were several measures that could be carefully explored, among them, a decision forbidding all dealings with South Africa in so far as they related to Namibia; effective implementation of various resolutions by the General Assembly calling for a ban on the sale of arms to South Africa; the creation of a Namibian Government in exile that could be seated at the United Nations as representing Namibia. His delegation believed that failure to deal with the problem resolutely without delay would have the most serious consequences for the international community.

347. The representative of Chile said that the reason for his delegation's participation in the present debate in the Council was its support of General Assembly

resolution 2145 (XXI). Chile attached special importance to that resolution because for the first time the General Assembly had recognized the right of Namibia to independence and the responsibility of the United Nations in that respect. However, that resolution was ignored by South Africa, confronting the General Assembly with a direct challenge. The Security Council also had found itself confronted by a similar challenge to its resolution 264 (1969). The Council as well as the General Assembly must meet that challenge adequately but to do so political will was indispensable. Without that political will no change would be possible and the coming generation would inherit the dogma of *apartheid* rather than the prospects of exploring outer space and the sea-bed.

348. At the 1494th meeting of the Council on 6 August, the representative of Finland said that since the adoption of Security Council resolution 264 (1969) the situation in Namibia had continued to deteriorate and the Government of South Africa had paid no attention to the resolution. It not only had ignored the requests of the Council, but had chosen to challenge the very right of the Council to make them. Disagreement on how best to discharge its responsibilities towards Namibia had led the General Assembly to a situation where it seemed to have exhausted the means at its disposal to influence the course of events in the Territory. The Council now faced the same problem. Since it was obvious that agreement could not be reached in the Council on a proposal to resort to enforcement action under Chapter VII of the Charter, in particular because of lack of support of the permanent members of the Security Council which was vital in view of their special responsibility for the maintenance of international peace and security, the Council could best discharge its responsibilities on the basis of the wide agreement existing at present on the question of Namibia. Should it appear that that agreement could not for the time being be translated into the form of a resolution, it might well be worth exploring whether other procedures would better serve the common purpose of the Council. It was essential, that whichever course the Council might choose, to be effective and to advance the cause of the people of Namibia it should have behind it the full weight of the undivided authority of the Security Council.

349. The representative of Senegal said that the situation in Namibia had deteriorated further since the adoption of resolution 264 (1969) which South Africa had refused to implement. Instead it had continued its *apartheid* policy in Namibia, applying there inhuman laws such as the Terrorism Act and the Suppression of Communism Act. In view of its continued defiance of the United Nations and its systematic violations of all principles of the Charter, the international community clearly must state whether South Africa still fulfilled the requisites for United Nations membership. Furthermore, as the Council for Namibia had stated in its reports, South Africa's continued defiance of the United Nations was bound to lead to a racial war and, in the opinion of the Senegalese delegation, there was no way of dealing with the situation other than to apply the provisions of Chapter VII of the United Nations Charter.

350. The representative of the Union of Soviet Socialist Republics stated that the aggressive occupational policies of South Africa with regard to Namibia and its stubborn defiance of the decisions of the United Nations were direct consequences of the position taken

by a number of Western Powers, including some of the permanent members of the Security Council. The basis for the militarist policies of the South African régime was the flow of hundreds of millions of pounds sterling, dollars and marks in the form of direct and other investments into that country. Members of NATO were taking an active part in the programme to expand the armed forces of South Africa and to set up new war factories in the country. Of particular concern, in that respect, was the increasing co-operation between South Africa and West Germany. The Soviet Union considered that the Security Council should take effective steps to ensure that the people of Namibia were granted independence as a logical follow-up to the termination of the Mandate. His delegation would proceed on that basis in determining its attitude on the proposals before the Council with regard to Namibia.

351. At the 1495th meeting of the Council held on 8 August, the representative of Hungary stated that South Africa's open violation of Security Council resolution 264 (1969) had shown to what lengths it would go in pursuing a colonial war against the people of Africa and in defying all the resolutions of the United Nations. South Africa, in conjunction with Southern Rhodesia and Portugal had set up a military and political axis to carry out co-ordinated punitive operations against the African people. This, coupled with the substantial financial and military assistance provided to South Africa by some major Powers, in defiance of the wishes of the United Nations, had revealed the line-up for forces arrayed against the African people. His delegation was ready to vote for a resolution which would force the Government of South Africa to implement the United Nations resolutions on Namibia.

352. The representative of Paraguay said that since the adoption of Security Council resolution 264 (1969), South Africa had not only rejected the resolution but had adopted and applied further provisions designed to consolidate its illegal occupation of Namibia. The Council now had to decide on the scope of the measures to be adopted in order to ensure compliance of that resolution in accordance with the spirit and letter of the resolution. Political realities indicated that at present the options open to the Council were necessarily limited. Although the influence of a great majority of Member States of the United Nations counted for little with the Government of South Africa, his delegation believed that the weight of influence of a small number of Powers, if exercised fully and in conformity with the decisions of the United Nations, could be truly effective. Furthermore, each new resolution that was adopted had to be more positive than the previous one while, at the same time, preserving the consensus that had existed in the Council on the question of Namibia. His delegation also hoped, along with the representative of Zambia that certain members of the Security Council who had cautioned against the use of force, would submit alternative proposals designed to ensure South Africa's compliance with General Assembly and Security Council decisions relating to Namibia.

353. The representative of China said that South Africa's refusal to comply with the provisions of Security Council resolution 264 (1969) had raised the question of how the United Nations should proceed next. However, those who had wanted application of

economic sanctions against South Africa should be aware that certain western countries, whose co-operation was vital for the successful enforcement of such sanctions, were not willing to extend such co-operation. In those circumstances, the Council, should it decide to apply mandatory economic sanctions, would run the risk of raising hopes that it would find hard to fulfil. His delegation was ready to support any measure best calculated to bring about freedom and independence to the people of Namibia.

354. The representative of France said that his delegation had always considered that it was the duty of South Africa to ensure the material and moral well-being of the population entrusted to it by the League of Nations and to promote its progress towards the exercise of the right to self-determination. For that reason, his delegation had on many occasions expressed its disapproval of the extension to a territory with an international status a discriminatory and repressive policy that was contrary to the spirit of the Mandate. It was therefore ready to take part in the search for any solution likely to restore the rights of the population. However, his delegation had had to express its reservation over certain initiatives taken by the General Assembly, particularly over resolution 2145 (XXI) which, in his delegation's view, had a very weak juridical basis and which clearly could not be implemented. For similar reasons his delegation had to abstain from the vote on Security Council resolution 264 (1969) which had moreover been preceded by a discussion showing that there were differences of opinion between members on several points. The United Nations must take a realistic view of the situation and must suit its actions to its own capabilities. In that way, the United Nations could make an effective contribution to the solution of the problem.

355. At the 1496th meeting of the Council held on 11 August, the representative of the United Kingdom stated that his delegation had on a number of occasions expressed the view that the people of the Territory of Namibia should be enabled to exercise the right of self-determination and that South Africa had forfeited the right to administer the Territory by acting in variance of the Mandate originally entrusted to it. At the same time, his delegation had repeatedly expressed its repugnance for the Terrorism Act, its concern at the extension to the Territory, the policies of *apartheid* and its objections to the Homelands legislation. His delegation also had expressed consistently the view that the course of action being followed by the United Nations had a dubious legal basis and would not serve to advance the cause of the people of the Territory. The United Nations must act within its capacity and avoid the adoption of resolutions which were ineffective and inoperative. As stated on previous occasions, his Government was not prepared to agree to commitments under Chapter VII of the Charter and the same was also true of some other permanent members of the Security Council and South Africa's main trading partners. The Council must not go beyond the measure of agreement existing among its members. It would be more appropriate for the Council to make another effort, in which his delegation was ready to join, for an agreed and effective course which the United Nations could adopt with regard to the Territory of Namibia.

356. The representative of the United States said that his delegation had supported General Assembly

resolution 2145 (XXI) terminating South Africa's mandate over Namibia as well as Security Council resolutions 245 (1968), 246 (1968) and 264 (1969) on the Territory of Namibia. There was no significant difference between the view of his Government and those of the majority in the Security Council as to the essential facts of the state of affairs in Namibia. The only difference pertained to the steps which the Council could now most appropriately take. Although the existing state of affairs in Namibia was tragic and deplorable his Government still did not consider that the application of international sanctions at present would be wise or effective. The Council had to be careful not to embark on an unrealistic course of action which could have the opposite result of the one that was intended. There were strong reasons to doubt that application of sanctions under Chapter VII of the Charter would be effective either economically or politically. The United Nations must not be subjected to a test which it was not yet prepared to meet. The Council should, however, continue to express its opposition to the state of affairs in Namibia and should continue to assert its responsibility for the Territory of Namibia. Similarly, a continued assertion by the Council of its unequivocal and unrelenting condemnation of the violation of the principles and purposes of the Charter in Namibia coupled with whatever voluntary steps Member States might deem feasible to take individually, constituted the most promising means of realizing the common objective. Proposals for more drastic action could only divide the Council, prove ineffectual and operate against the interests both of the people of Namibia and the United Nations.

357. The President, speaking as the representative of Spain, said that in view of South Africa's defiance of Security Council resolution 264 (1969) his delegation would be prepared to support a draft resolution which, once again affirming the authority and responsibility of the Security Council, censured the South African authorities for their failure to comply with resolution 264 (1969). His delegation believed that in a new resolution the Council might enjoin the South African authorities to modify their stand and set a target date for the withdrawal of the illegal administration from the Territory. If the target date set by this new resolution to be adopted by the Council were ignored by South Africa, then the Council should meet again without delay to examine the appropriate measures to be taken in order to force South Africa to abide by the obligations it had assumed in the eyes of the United Nations and the international community.

358. At the 1497th meeting, on 12 August, the representative of Zambia introduced the following draft resolution (S/9384 and Add.1) which was co-sponsored by Algeria, Colombia, Pakistan, Paraguay, Senegal and Zambia.

"The Security Council,

"Recalling its resolution 264 (1969) of 20 March 1969,

"Taking note of the report of the Secretary-General contained in document S/9204,

"Mindful of its responsibility to take necessary action to secure strict compliance with the obligations entered into by States Members of the United Nations under the provisions of Article 25 of the Charter of the United Nations,

Mindful also of its responsibilities under Article 6 of the Charter of the United Nations,

"1. Reaffirms its resolution 264 (1969);

"2. Condemns the Government of South Africa for its refusal to comply with resolution 264 (1969) and for its persistent defiance of the authority of the United Nations;

"3. Decides that the continued occupation of the Territory of Namibia by the South African authorities constitutes an aggressive encroachment on the authority of the United Nations, a violation of the territorial integrity and a denial of the political sovereignty of the people of Namibia;

"4. Recognizes the legitimacy of the struggle of the people of Namibia against the illegal presence of the South African authorities in the Territory;

"5. Calls upon the Government of South Africa to withdraw its administration from the Territory immediately, and in any case before 4 October 1969;

"6. Decides that in the event of failure on the part of the Government of South Africa to comply with the provisions of the preceding paragraph of the present resolution, the Security Council will meet immediately to determine upon effective measures in accordance with the appropriate provisions of the relevant Chapters of the Charter of the United Nations;

"7. Calls upon all States to refrain from all dealings with the Government of South Africa purporting to act on behalf of the Territory of Namibia;

"8. Requests all States to increase their moral and material assistance to the people of Namibia in their struggle against foreign occupation;

"9. Requests the Secretary-General to follow closely the implementation of the present resolution and to report to the Security Council as soon as possible;

"10. Decides to remain actively seized of the matter."

359. In introducing the above draft resolution, the representative of Zambia stated that despite his appeal made at the Council's 1492nd meeting, those who opposed the application of Chapter VII of the Charter against South Africa had failed to come up with a more attractive alternative aimed at compelling South Africa to comply with General Assembly and Security Council decisions relating to Namibia. Their negative pronouncements had, in fact, greatly encouraged South Africa. The draft resolution (S/9384) was a sincere expression of indignation and concern which was shared by a majority of United Nations Members that strongly felt that South Africa should no longer be allowed to flout the decision of the United Nations with impunity.

360. The representative of Nepal stated that although the draft resolution before the Council (S/9384) fell far short of the requirements of the situation in not committing the Security Council to a specific course of action under Chapter VII of the Charter, in many respects it, however, would take the commitment of the United Nations much further than resolution 264 (1969). Nevertheless the Council must never cease its efforts for an effective course of action under Chapter VII of the Charter. Nepal believed in the essential wisdom of the course of action which the United Nations had been following. The Security Council must respect the principle of

universality of the United Nations. The Council must preserve the basis for the Organization's concern for the people of Namibia and for those people who were the victims of the policies of apartheid.

Decision: At the 1497th meeting, on 12 August 1969, the six-Power draft resolution was adopted by a vote of 11 to none, with 4 abstentions (Finland, France, United Kingdom of Great Britain and Northern Ireland and United States of America), as resolution 269 (1969).

C. Subsequent communications to the Council

361. In a letter dated 29 August 1969 (S/9420), the President of the United Nations Council for Namibia stated that the Council for Namibia had decided to draw the attention of the Security Council to the serious situation which had arisen as a result of the illegal trial and conviction of a further group of Namibians on charges under the 1967 Terrorism Act. The letter also recalled Security Council resolutions 245 (1968) and 246 (1968) by which the Security Council had unanimously condemned the trial and conviction of a previous group of Namibians on similar charges and under the same Act.

362. On 19 September, the Secretary-General submitted to the Security Council an addendum (S/9204/Add.1) to his report in pursuance of Security Council resolution 264 (1969). It contained the text of a reply from Argentina concerning the implementation of that resolution.

363. In a telegram dated 25 September addressed to the President of the Security Council (S/9455), the Minister of Foreign Affairs of the German Democratic Republic stated that his Government had welcomed the renewed discussion of the situation in Namibia by the Security Council and had fully supported Security Council resolution 269 (1969). The Government of the German Democratic Republic always had condemned the policy of colonialist and racist suppression and, consequently, had demanded cessation of the annexationist policies of South Africa towards Namibia and the restoration to the people of the Territory their right to self-determination. His Government also strongly condemned the policy pursued by the Governments of the West German Federal Republic and other imperialist States in support of the racist South African régime against the people of Namibia in disregard of the Security Council resolutions.

364. On 3 October the Secretary-General submitted a report (S/9463) to the Security Council in pursuance of resolution 269 (1969) adopted by the Security Council on 12 August 1969. The report indicated that the Secretary-General had transmitted the text of the resolution by telegram to the Minister of Foreign Affairs of the Republic of South Africa on 12 August and on 28 August by notes to all States Members of the United Nations or members of the specialized agencies. As of 3 October, the Secretary-General had received five simple acknowledgements of his communications, as well as substantive replies from Kenya and South Africa, which are annexed to his report. In his reply dated 26 September the Minister of Foreign Affairs of the Republic of South Africa reiterated his Government's position, rejecting the

⁵ See also chapter 28 below.

validity of General Assembly resolution 2145 (XXI) of 27 October 1966 and all subsequent United Nations resolutions on the situation in Namibia including those of the Security Council. Annexed to the letter was a document describing Namibia's reported progress under South African rule.

365. By a letter dated 10 October 1969 (S/9471), the President of the United Nations Council for Namibia informed the Security Council that, at its 70th meeting held that day, the Council for Namibia had expressed its grave concern at the defiant and negative response of the Government of South Africa to Security Council resolution 269 (1969), as contained in the letter of the Minister of Foreign Affairs of South Africa. The persistent refusal of the Government to comply with decisions of the Security Council in violation of Article 25 of the Charter constituted a rejection of the authority of the Security Council and thus presented a grave challenge to the United Nations, thus aggravating a situation which already constituted a serious threat to international peace and security. In view of the special responsibilities of the United Nations to the people of Namibia, the Council for Namibia would draw the Security Council's attention to the urgent need for effective action to implement its resolution 269 (1969).

366. On 22 October 1969 the Secretary-General submitted an addendum (S/9463/Add.1) to his report in pursuance of Security Council resolution 269 (1969) containing a communication from the Philippines refuting certain allegations against it contained in the letter of the Minister of Foreign Affairs of the Republic of South Africa to the Secretary-General and included in document S/9463.

367. By letters dated 31 October and 1 December 1969 (S/9494, S/9515), the Secretary-General transmitted to the President of the Security Council the texts of General Assembly resolutions 2498 (XXIV) and 2517 (XXIV) concerning the question of Namibia.

368. On 26 January 1970 the Secretary-General submitted to the Security Council an addendum (S/9463/Add.2) to his report in pursuance of Security Council resolution 269 (1969) concerning further replies from States relating to the implementation of that resolution.

D. Further request for a meeting and consideration by the Council at the 1527th-1529th meetings (28-30 January 1970)

369. By a letter dated 26 January 1970 (S/9616) the representatives of forty-eight Member States requested an urgent meeting of the Security Council to examine the situation resulting from the failure of the Government of South Africa to comply with the letter and spirit of Security Council resolution 269 (1969), in particular paragraph 4. The letter was signed by the representatives of Afghanistan, Algeria, Burundi, Cambodia, Ceylon, Chad, Congo (Democratic Republic of), Congo (People's Republic of), Dahomey, Ethiopia, Gabon, India, Indonesia, Iran, Iraq, Jordan, Kuwait, Laos, Lebanon, Liberia, Libya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Morocco, Nepal, Niger, Nigeria, Pakistan, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Syria, Togo, Tunisia, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia. Subsequently the repre-

sentatives of Cameroon, Cyprus, Ghana, Guinea, Japan, Kenya, Philippines, Thailand and Yemen joined in the request.

370. At its 1527th meeting on 28 January the Council included the item in its agenda and, at his request, invited the representative of Turkey, in his capacity as the President of the United Nations Council for Namibia for that month, to participate in the discussion without vote.

371. At the same meeting the representative of Finland introduced a draft resolution (S/9620) sponsored by Burundi, Finland, Nepal, Sierra Leone and Zambia which read as follows:

"The Security Council,

"Reaffirming the inalienable right of the people of Namibia to freedom and independence recognized in General Assembly resolution 1514 (XV) of 14 December 1960,

"Reaffirming the General Assembly resolution 2145 (XXI) of 27 October 1966, by which the United Nations decided that the Mandate of South West Africa was terminated and assumed direct responsibility for the Territory until its independence,

"Reaffirming Security Council resolution 264 (1969) of 20 March 1969, which recognized the termination of the Mandate and called upon the Government of South Africa to withdraw immediately its administration from the Territory,

"Reaffirming that the continued detentions, trials and subsequent sentencing of Namibians by the Government of South Africa constitute an illegal act and a flagrant violation of the rights of the Namibians concerned, the Universal Declaration of Human Rights and of the international status of the Territory, now under direct United Nations responsibility,

"Recalling Security Council resolution 269 (1969) of 12 August 1969,

"1. Strongly condemns the refusal of the Government of South Africa to comply with the resolutions of the General Assembly and Security Council pertaining to Namibia;

"2. Declares that the continued presence of the South African authorities in Namibia is illegal and that consequently all acts taken by the Government of South Africa on behalf of or concerning Namibia after the termination of the Mandate are illegal and invalid;

"3. Declares further that the defiant attitude of the Government of South Africa towards the Council's decisions undermines the authority of the United Nations;

"4. Considers that the continued occupation of Namibia by the Government of South Africa in defiance of the relevant United Nations resolutions and of the Charter of the United Nations has grave consequences for the rights and interests of the people of Namibia;

"5. Calls upon all States, particularly those which have economic and other interests in Namibia, to refrain—in any dealings with respect to Namibia—from recognizing any right of the Government of South Africa to act on behalf of the Territory of Namibia;

"6. Requests the Secretary-General to set up an ad hoc committee of experts, to be appointed in

consultation with the members of the Security Council, to study ways and means by which States can effectively carry out the provisions of operative paragraph 5 of the present resolution and to submit, not later than 1 June 1970, its recommendations for such effective and appropriate steps as may be taken by the Security Council to enable the United Nations to discharge its special responsibility towards the people of Namibia;

"7. *Requests* all States, as well as the specialized agencies, to give the expert committee all the information and other assistance that it may require in pursuance of the present resolution;

"8. *Further requests* the Secretary-General to give every assistance to the expert committee in the performance of its task;

"9. *Decides* to resume consideration of the question of Namibia as soon as the recommendations of the expert committee have been made available."

372. In introducing the above draft resolution the representative of Finland said that the crucial question concerned the use of coercive measures under Chapter VII of the Charter. The division of opinion on that question in the Council seemed to be irreconcilable at least for the present. Obviously issues of fundamental importance to every member were involved. In the view of the Finnish Government it was of paramount importance to preserve the strength and authority and effectiveness of the Security Council as the supreme organ of international co-operation for the maintenance of international peace and security. A pronouncement by the Council on the existence of a threat to international peace and security, therefore, had to carry conviction in the context of the prevailing international situation. It had to carry conviction not only within the Council itself, but also among the nations that were to be called upon to make the efforts and sacrifices that might be necessary to remove the threat. Before invoking the provisions of Chapter VII, the Council should make sure that its decisions could in fact be carried out. Otherwise it would run the risk of failure that could only weaken the authority of the Council and the credibility of its decisions. In the absence of the possibility of action under Chapter VII, the Council had the duty to examine every other available means. Even if there were obviously no single decision that could solve the problem, there were in his view possibilities of practical action which so far had not been explored. The point of departure was that since South Africa's mandate over South West Africa had been terminated, the continued presence of the South African authorities in Namibia was illegal and consequently all acts taken by the Government of South Africa on behalf of or concerning Namibia after the termination of the mandate were equally illegal and invalid. That fact clearly had a number of implications for any Government dealing in one way or another with the Government of South Africa. The *ad hoc* sub-committee proposed in the draft would have a broad mandate. It would examine all proposals and ideas for such effective and appropriate steps as might be taken by the Security Council to enable the United Nations to discharge its special responsibility towards the people of Namibia. However, the *ad hoc* sub-committee was not intended to become another United Nations organ or to replace or detract from any existing body. Moreover, the setting up of the committee was not intended to delay or postpone a decision

on the question of Namibia, as a time-limit was fixed for the submission of its report. The draft resolution, limited in scope and purpose, should be regarded as an interim measure, intended to help the Council make more substantive decisions in the months to come.

373. The representative of Zambia stated that South Africa not only had not withdrawn from Namibia, as it had been called upon to do under Security Council resolution 269 (1969); it had asserted in the letter of its Foreign Minister to the Secretary-General (S/9463) that Namibia was an integral part of its territory. The South African Foreign Minister's contention that the International Court of Justice had vindicated his country's position was also not correct, as the Court had definitely stated that it was not giving any ruling on the merit of the complaint. South Africa's presence in Namibia was illegal and in violation of the United Nations resolutions. Furthermore, it had created a situation that was a threat to international peace and security.

374. The representative of Zambia then said that the five-Power draft resolution (S/9620) might be considered as lacking in militancy, but in the absence of any effective and constructive alternatives, it might help to break the present deadlock. His delegation would like the *ad hoc* sub-committee to examine, among other things, the possibilities of (a) applying fully or partially the relevant provisions of Chapter VII of the United Nations Charter against South Africa; (b) setting up a special United Nations fund into which all taxes of foreign economic concern in Namibia could be paid; (c) emphasizing the United Nations presence through the introduction of special visa regulations by Member States concerning travel to Namibia; (d) having United Nations passports issued to Namibians recognized by all States; (e) asking Member States to make passports or other travel documents of their nationals invalid for travel to Namibia without a United Nations visa; (f) requesting Member States to review and amend all treaties, with territorial implications for the former territory of South-West Africa, now Namibia, that they might have entered into with South Africa; (g) resuscitating the co-operation of national labour unions and confederations in the boycott of South African goods and services; and (h) implementing any other measures that the Council might have had under consideration.

375. The representative of Zambia declared that campaigns were underfoot in Europe and the United States to lift the embargo imposed by the United Nations on the sale of arms to South Africa. Businessmen and Conservative Party leaders in the United Kingdom had indicated that if that Party were returned to power, the Government would cease to observe the arms embargo against South Africa. Certain other Governments, namely the Federal Republic of Germany, France, Italy and Japan, had refused to observe the embargo and had continued to supply certain military equipment and spare parts to South Africa. Furthermore, South Africa and its Western allies had deliberately exaggerated the threat to peace in the Indian Ocean region as an excuse to build up South African military capability. However, it was quite clear that the aims of such a military build-up could not be divorced from the South African régime's objective of keeping political and economic power firmly in the hands of the white minority. Thus, South Africa would use the Western weapons and skills sup-

plied to it, not in defence of Western interests but against black Namibians and South Africans and the independent African countries, which were determined to make the continent truly independent. Because of those considerations his Government had appealed to its friends in Latin America and to Australia and New Zealand to be wary of South Africa's call for a South Atlantic-Indian Ocean defence pact.

376. The representative of the United States said that, in his delegation's view, the draft resolution accurately represented and reaffirmed the basic attitude of the United Nations to the problem. It was a matter of regret that so little progress had been made since the Council's last discussion of the question in persuading South Africa to acknowledge United Nations responsibility for Namibia. The five-Power draft resolution (S/9620), besides reaffirming the basic attitude of the United Nations to the problem, considered that a further expert study would be helpful in permitting all States to discharge their responsibilities with regard to the question of Namibia. To his delegation that appeared to be a reasonable request and one which it would support. The United States Government, which was keenly interested in the fate of the people and Territory of Namibia, would do everything in its power to contribute to the work of the expert committee as proposed in the five-Power draft resolution. It was a matter of great satisfaction to the United States delegation that the sponsors of that draft resolution had proceeded in that respect on the basis of broad consultations, resulting in a draft which appeared to carry a wide measure of agreement within the Council. It hoped that the Committee's study would provide a complete and impartial analysis of all the implications of South Africa's presence in Namibia and enable the Council to form an intelligent judgement as to what other peaceful and practical steps it could take to discharge more effectively its obligations to the people of Namibia.

377. The representative of Nicaragua said that Members should comply with the decisions of the United Nations. The Council acted on behalf of all Members in matters of international peace and security and must prove that the juridical and political machinery of the United Nations was able to keep the world within the framework of law and justice. The Organization, born of war, must win the peace, for if the world should backslide into war in this atomic age, there would be no victorious nation.

378. At the 1528th meeting of the Council held on 29 January the representative of Finland introduced the following revised version (S/9620/Rev.1) of the five-Power draft resolution:

"The Security Council,

"Reaffirming the inalienable right of the people of Namibia to freedom and independence recognized in General Assembly resolution 1514 (XV) of 14 December 1960,

"Reaffirming the General Assembly resolution 2145 (XXI) of 27 October 1966, by which the United Nations decided that the Mandate of South-West Africa was terminated and assumed direct responsibility for the Territory until its independence,

"Reaffirming Security Council resolution 264 (1969) of 20 March 1969 which recognized the termination of the Mandate and called upon the

Government of South Africa to withdraw immediately its administration from the Territory,

"Reaffirming that the extension and enforcement of South African laws in the Territory, together with the continued detentions, trials and subsequent sentencing of Namibians by the Government of South Africa, constitute illegal acts and flagrant violations of the rights of the Namibians concerned, the Universal Declaration of Human Rights and of the international status of the Territory, now under direct United Nations responsibility,

"Recalling Security Council resolution 269 (1969) of 12 August 1969,

"1. Strongly condemns the refusal of the Government of South Africa to comply with the resolutions of the General Assembly and Security Council pertaining to Namibia;

"2. Declares that the continued presence of the South African authorities in Namibia is illegal and that consequently all acts taken by the Government of South Africa on behalf of or concerning Namibia after the termination of the Mandate are illegal and invalid;

"3. Declares further that the defiant attitude of the Government of South Africa towards the Council's decisions undermines the authority of the United Nations;

"4. Considers that the continued occupation of Namibia by the Government of South Africa in defiance of the relevant United Nations resolutions and of the Charter of the United Nations has grave consequences for the rights and interests of the people of Namibia;

"5. Calls upon all States, particularly those which have economic and other interests in Namibia, to refrain from any dealings with the Government of South Africa which are inconsistent with paragraph 2 of the present resolution;

"6. Decides to establish, in accordance with rule 28 of the provisional rules of procedure, an Ad Hoc Sub-Committee of the Council to study, in consultation with the Secretary-General, ways and means by which the relevant resolutions of the Council, including the present resolution, can be effectively implemented in accordance with the appropriate provisions of the Charter, in the light of the flagrant refusal of South Africa to withdraw from Namibia, and to submit its recommendations by 30 April 1970;

"7. Requests all States as well as the specialized agencies and other relevant organs of the United Nations to give the sub-committee all the information and other assistance that it may require in pursuance of the present resolution;

"8. Further requests the Secretary-General to give every assistance to the sub-committee in the performance of its task;

"9. Decides to resume consideration of the question of Namibia as soon as the recommendations of the sub-committee have been made available."

379. The representative of Turkey speaking in his capacity as President of the Council for Namibia stated that the letter of the South African Foreign Minister, which had been annexed to the report of the Secretary-General of 3 October 1969 (S/9463), was a further challenge to the authority of the Security Council. Recent evolution of the problem of Namibia clearly showed that a situation had arisen which would

inevitably lead to the most serious consequences if not satisfactorily resolved. The Council for Namibia was interested in any steps which could be taken to expedite a solution of the Namibian situation. It had already considered an interim report from a sub-committee entrusted with examining, among other things, ways and means of assisting the Security Council to ensure implementation of its resolutions, particularly resolution 269 (1969). He hoped that the group of experts envisaged in the five-Power draft resolution would expeditiously submit recommendations that would complement the work of the Council for Namibia and also effectively assist the Security Council to discharge its responsibilities towards Namibia.

380. The representative of Syria stated that South Africa's failure to withdraw from Namibia had jeopardized the principles of the Charter, the efficacy of the United Nations and the hopes of attaining any degree of international justice, peace and security. The authorities of South Africa had deliberately escalated their defiance of the United Nations by trying to prove that the people of Namibia were prospering under South African rule and that the propagation of *apartheid* in Namibia was a step towards self-determination. Their attitude underlined the gap separating them from the trend of the times and the futility of any meaningful dialogue. His delegation regarded the draft resolution as a relevant preliminary step to a decision on the measures to be taken by the Council in order to give effect to resolution 269 (1969). However, his delegation did not consider that operative paragraph 3 of the draft resolution as it stood would serve a useful purpose, and it considered paragraph 5 too restrictive. Emphasis should be placed on refraining from assisting the usurping Power in any way; and the last paragraph of the draft should be flexible enough not to bar the Council from resuming consideration of the situation in Namibia, should the need arise, even before the expert group had completed its work.

381. The representative of Sierra Leone stated that little had been done in the past fifty years to improve conditions in Namibia and that there would be little progress there unless the Territory was placed under international supervision. The United Nations should now plan fully and thoroughly the methods by which Namibia could gain freedom. He called on all States to refrain from recognizing any right of South Africa to act on behalf of Namibia. In his view, the committee envisaged in the draft resolution should map out means for the compulsory withdrawal of South Africa from Namibia. He appealed to all Council members to support the draft, which should command respect because of its rationality and restraint.

382. The representative of the Union of Soviet Socialist Republics said that South Africa was not alone in its colonialist-racist policy in Namibia, and that it was buttressed by direct economic, political and military support on the part of a number of Western Powers. In particular he stressed that Western countries were not respecting the 1963 embargo on arms to South Africa. In order to exert true pressure on South Africa, it was essential that the Council should demand that all States break completely their economic, trade, transport and other links with that Government. Many countries, including the Soviet Union, had long ceased to have any relations with South Africa, but it was essential that all other countries, in particular the major trade partners of South Africa and the permanent

members of the Security Council, should faithfully carry out such measures. Furthermore, it was the duty of the Security Council to find ways and means of securing South Africa's compliance with its decisions. The measures that the Council could take in that respect were provided in Article 41 of the Charter. The adoption of those measures by the Council, and their faithful execution by all Member States, would result internationally in the political and *de facto* isolation of the South African racists and colonialists and constitute effective help to the people of Namibia in their struggle for national independence. In view of South Africa's refusal to implement resolution 269 (1969), the time had come for taking those measures; otherwise the Council's role would be limited to strong speeches but weak and ineffective resolutions.

383. The representative of Nepal said that the General Assembly, by its resolution 2517 (XXIV), had drawn the attention of the Security Council to the need for taking appropriate measures to solve the situation resulting from South Africa's refusal to withdraw from Namibia. The five-Power draft resolution before the Council did not initiate the measures called for in the General Assembly resolution, for the obvious reason that appropriate measures could not be applied without the support of all the permanent members of the Security Council. However, the draft resolution did seek to move the Council away from the dead centre in which it found itself; its main features were contained in operative paragraph 5, appealing to all States, and operative paragraph 6 seeking establishment of an *ad hoc* sub-committee. His delegation hoped that the sub-committee would examine, among other things, all possibilities for action by the United Nations under Chapter VII of the Charter. In the view of his delegation the draft resolution was interim in nature, and its purpose was to help the Council arrive at vital decisions. Above all, the resolution also represented an attempt to confront the permanent members of the Council, particularly those having political, economic and other interests in South Africa, with a fuller and expert evaluation of the situation in Namibia and to have them increasingly and effectively committed to the cause of the United Nations in that situation.

384. The representative of Spain, after recalling that the General Assembly in its very first session had adopted resolution 65 (1) asking the Government of the Union of South Africa to call off its plans to annex the Territory of South West Africa, stated that, since then, the General Assembly and the Security Council had adopted almost 100 resolutions on the problem of Namibia. However, the results of the United Nations efforts in that respect had been most discouraging. The Government of South Africa had persisted in its refusal to implement the United Nations resolutions on Namibia, and the situation in the Territory had deteriorated further. Security Council resolution 269 (1969) had set a deadline for the withdrawal of South African administration from the Territory, but South Africa's defiance had continued. That attitude had been condemned both by the General Assembly and the Security Council. Since non-implementation of its resolutions undermined the authority of the United Nations, the conduct and attitude of the Member States that refused to take into account the resolutions of the main bodies of the United Nations had become a most important problem. It was for that reason that his delegation would have preferred a draft resolution reiterating the principles that had been violated. How-

ever, it was possible that adoption of the draft resolution before the Council might present a new possibility for a just solution of the problem of Namibia. With that hope the Spanish delegation would vote in favour of the five-Power draft resolution.

385. At the 1529th meeting, on 30 January 1970, the President, with the consent of the Council, invited the representatives of India and Pakistan, at their request, to participate in the discussion without the right to vote.

386. The representative of Poland stated that during the twenty years that the United Nations had had to deal with the question of Namibia, his country had often expressed its support for the cause of freedom of the people of Namibia in accordance with its consistent policy of supporting the national liberation struggle of peoples under colonial domination. The elements of the problem of Namibia had been delineated and the legal and political framework for United Nations action precisely drawn in resolutions of the Security Council and the General Assembly. Ways and means to fill in that framework were provided in the United Nations Charter, in particular in Articles 41 and 42, as well as in the prerogatives of the Security Council. International opinion demanded that effect should be given to the Council's previous resolutions on the question. South Africa had rejected the resolutions of both the General Assembly and the Security Council and had been intensifying its policies of persecution of Namibians, terror against their freedom movements, and fragmentation of the country in order to exploit it economically, subjugate it and extend the rule of *apartheid* there. Although international support by anti-colonial forces for the people of Namibia had increased, there had been a simultaneous escalation in the involvement of foreign capital in South Africa, reinforcing that country's economic, financial and military position which was the material basis of its defiance of the United Nations. It was obvious, therefore, that mere moral condemnation of South Africa was not enough. It had to be translated into practical steps designed to make South Africa abandon those policies. The Council's deliberations, therefore, should proceed in the direction of reaching a prompt decision on ways to ensure implementation of the Council's previous resolutions, making South Africa withdraw from Namibia and ensuring the right of its people to self-determination. The five-Power draft resolution was described by its sponsors as limited in scope and purpose and of an interim nature; it did not bear on the larger framework of economic and other interests in South Africa, which had been dealt with already in a number of General Assembly resolutions, in particular resolution 2307 (XXII). His delegation understood that the *ad hoc* sub-committee referred to in operative paragraph 6 would consist of all members of the Council and that operative paragraph 9 did not preclude the Council from again taking up the question of Namibia, should that be considered necessary. With those matters of principle in mind, the Polish delegation would support the five-Power draft resolution.

387. The representative of the United Kingdom said that however deplorable the situation in Namibia might be, the fact remained that the Council could take only limited action. His delegation had consistently drawn attention to the practical considerations and to the need for the United Nations to act only within its capabilities. The United Kingdom had made no secret

of its own inability to contemplate action which would rapidly turn into complete economic warfare against South Africa. It felt that the adoption of ineffective or inoperable resolutions could not serve the interests of the people of the Territory of Namibia. His Government could not support the draft resolution before the Council, since the basis of that resolution was certain earlier resolutions on which it had already abstained. Moreover, in some respects, notably operative paragraph 5, the draft resolution appeared to ignore some of the circumstances to which he had already referred. His Government, however, would welcome any study of the legal, economic and other implications of the presence of the South African authorities in Namibia and recommendations for effective and practical steps which the Council could take. His delegation would co-operate in any such work. Despite certain statements made in the Council, there had been no change in his Government's policy on applying an arms embargo in line with Security Council resolution 191 (1964), and he was authorized to state that no change in that respect was contemplated by his Government. Furthermore, no military vessels or aircraft had been sold to South Africa since the embargo had been imposed.

388. The representative of China stated that the Security Council, in a number of successive resolutions, had endorsed the action of the General Assembly in terminating the South African Mandate over the Territory of South West Africa and bringing the Territory under the direct responsibility of the United Nations. It was a matter of profound regret that the United Nations had been prevented from exercising its functions in Namibia. Although there was no disagreement that South Africa's attitude of non-compliance should be censured, differences had arisen as to how the Security Council could best discharge its responsibility towards the people of Namibia. It was quite clear that any coercive measure would have little effect without the full support of those countries which are in a special position to influence the course of events in South Africa. For that reason, further study and exploration might be useful. His delegation therefore welcomed the proposal to set up an *ad hoc* sub-committee to examine the legal, economic and other aspects of the question and would vote in favour of the draft resolution.

389. The representative of Colombia stated that, despite the very dedicated work undertaken by the United Nations Council for Namibia, there had been no progress with regard to a solution of the question of Namibia. However, as a result of the United Nations consideration of that question, an awareness of the unjust situation prevailing in that Territory had been realized and duly condemned. The peoples and countries of Latin America shared the concern and indignation of the African people at the situation prevailing in Namibia and denounced it equally with them. The Colombian delegation would support the draft resolution before the Council in order that no method to find a just settlement of the situation in Namibia should be left untried.

390. The representative of France said that, though his delegation's views on the policies of Pretoria were just as severe as those of the African countries, it had reached different conclusions about the measures to be taken. The United Nations had adopted successive resolutions on Namibia which had not fully achieved their objective. One might even wonder whether the positions taken by the General Assembly and the Security

Council had not served as a pretext for the Government of South Africa to try to justify the regressive legislation it had applied since 1967. Furthermore those resolutions might have shaken the confidence of the people of the Territory in the United Nations and engendered in them a certain pessimism about the activities of international institutions. The favourable manner in which the General Assembly had received the Lusaka Manifesto showed that the Assembly was prepared to seek new solutions to the problem; and it was not impossible that new solutions would come from the work of the proposed *ad hoc* sub-committee. He hoped that before the sub-committee concluded its work, the Government of South Africa would give tangible evidence of its professed desire to serve the interests of the people of Namibia and to lead them to political sovereignty. Although the draft resolution could not be supported, since it was placed in a legal framework about which he had constantly expressed reservations, his delegation welcomed with sympathy the spirit of moderation which it thought it detected in the draft.

391. The representative of India said that were it not for the political encouragement and active economic and financial assistance of South Africa's major trading partners and suppliers of armaments, that country would not have been able to defy the United Nations for so many years. It was no secret that certain Members of the United Nations had not complied with General Assembly resolutions calling for the imposition of sanctions against South Africa, including an embargo on the supply of arms to that country. They also had ignored Security Council resolution 269 (1969) that had called upon all States to refrain from all dealings with the South African régime purporting to speak for Namibia. Security Council resolution 264 (1969) was meant to substantiate the Assembly's decision to assume direct responsibility for Namibia until independence. The United Nations therefore had a perfectly legal and valid basis for further action. His delegation would therefore wish the Security Council to call on Member States to take effective steps to prevent the flow of arms and other military hardware to South Africa directly or through third countries; to stop fresh investment in Namibia by their nationals or private companies so long as South Africa continued its illegal occupation; to ensure that their companies and nationals operating in Namibia paid taxes and levies for such operations only to the Council for Namibia; and to recognize only those travel documents for Namibia which were issued on behalf of the United Nations.

392. The representative of Nicaragua said that although his delegation agreed with the purpose of the draft resolution, it had certain reservations with regard to operative paragraph 2, under which the Council would pronounce itself on certain acts of South Africa. The consequences of South Africa's illegal activities should be determined in the courts of Namibia, once the rule of law was re-established, or by judges or arbiters elected by the parties affected by those measures. In spite of those reservations, his delegation would vote in favour of the draft resolution.

393. The representative of Zambia stated that in the opinion of the sponsors operative paragraph 9 of the draft resolution did not exclude a Council meeting on Namibia should one be considered necessary.

394. The representative of Pakistan said that the task before the Council was to identify the measures which could be taken to bring maximum pressure on

South Africa to relinquish its illegal hold on Namibia. The issue before the Council was not what measures were within its competence, or whether measures under Chapter VII of the Charter were legally appropriate, but what measures would be adequate to remove South African presence from Namibia and which of those measures were realistically feasible. The Asia-African Member States were unanimous in the belief that nothing short of measures under Chapter VII would be adequate and that such measures were eminently practicable. However, some of the permanent members of the Council thought differently in that respect. It was, therefore, for those members to indicate what action they considered feasible to achieve implementation of resolution 264 (1969). His delegation believed that the Council should give priority to developing a suitable procedure for placing the removal of South Africa from Namibia under its constant review, without it being necessary for the African-Asian Members to request the convening of the Council. The programme of action visualized by his delegation was (a) to identify the steps which would be not only feasible but effective to bring about compliance by South Africa with the Council resolutions, and (b) to arrive at firm conclusions as early as possible with regard to a sequence of such steps and enable the Council to fulfil the pledge made in resolutions 264 (1969) and 269 (1969).

395. The representative of Syria said that one of the most dangerous aspects of the issues that had arisen in relation to the question of Namibia was the flow of arms into South Africa and the manufacture of arms in that country. According to press reports, South Africa was receiving arms shipments from the United Kingdom and aircraft from Israel and was shipping heavy tanks to Israel. Efforts were being made to establish an Israel-South Africa League and closer ties between the two countries. In addition to United States volunteers in Israel, South Africa had given its Jewish pilots permission to join the armed forces of Israel, and South Africa was following the example of Israel in augmenting its war machinery to suppress the resistance movement against it. Every effort should be made to bring about a complete arms embargo against South Africa.

396. The President, speaking as the representative of Burundi, said that the rights of the people of Namibia should be restored to them immediately. The racist and colonial Pretoria régime was preventing that, and the Council must ensure that such obstruction should be overcome. The Council, through a new resolution on Namibia, had proposed to remove any ambiguity and to take up the challenge. It should also be made quite clear that if peaceful methods failed to resolve the situation, there would be no alternative left for the African States but to use force to achieve independence for the people of Namibia.

397. The representative of the United States said that his delegation regarded the criteria established in operative paragraph 5 of the five-Power draft resolution as not excluding protests to South Africa concerning its actions in Namibia or measures taken to protect the citizens of Member States or the rights of Namibians themselves which might be necessitated by the continued illegal control exercised by South Africa over Namibia.

398. In exercise of the right of reply, the representative of the Union of Soviet Socialist Republics pointed out that the *Rand Daily Mail* of 4 November

1969 had stated that, despite the arms embargo, South Africa was the United States' second largest customer of arms in Africa. The representative of the United States said that the United States had lived up to the Security Council call for an arms embargo. As the United States representative had made clear in 1963, that did not preclude the fulfilment of contracts made prior to the embargo. Any figures cited by the representative of the USSR referred only to such spare parts or to non-military equipment.

Decision: *At the 1529th meeting, on 30 January 1970, the five-Power draft resolution was adopted by a vote of 13 to none with 2 abstentions (France and the United Kingdom), as resolution 276 (1970).*

E. Subsequent communications to the Council

399. In a letter dated 30 January 1970 and addressed to the President of the Security Council (S/9630), the representative of Japan, after referring to a statement by the representative of Zambia at the 1527th meeting of the Council, stated that it was not correct that his country was one of those which had refused to impose a ban on the sale of arms to South Africa. He added that his Government was faithfully observing the arms embargo against South Africa in compliance with the decisions of the Security Council.

400. In a letter dated 2 February (S/9633), the representative of Israel stated that the statement of the representative of Syria at the 1529th meeting of the Council to the effect that Israel was obtaining heavy tanks from South Africa and was also supplying South Africa with war planes was not correct.

401. In a letter dated 6 February (S/9640), the representative of Italy, after referring to a statement by the representative of Zambia at the 1527th meeting of the Council that Italy was one of the countries that had refused to impose a ban on the sale of arms to South Africa, stated that his Government had consistently observed the arms embargo against South Africa and had not authorized the export to South Africa of any military equipment or spare parts for the South African army, navy or air force.

402. By a note dated 13 February (S/9648), the President of the Security Council transmitted the text of a letter addressed to him by the Permanent Observer of the Federal Republic of Germany on 11 February denying the statement by the representative of Zambia at the 1527th meeting of the Council to the effect that the Federal Republic of Germany was one of the countries that had refused to impose a ban on the sale of arms to South Africa. He added that, in compliance with the decisions of the Security Council, his Government had faithfully and consistently observed the arms embargo against South Africa.

403. By a letter dated 13 February (S/9649), the representative of Syria submitted to the Council excerpts from various newspapers, periodicals and books to substantiate his statement that military, commercial, cultural and financial relations existed between Israel and South Africa.

F. Interim report of the *Ad Hoc* Sub-Committee

404. On 30 April the *Ad Hoc* Sub-Committee established in pursuance of resolution 276 (1970) submitted to the Security Council an interim report (S/9771) on its work. The report indicated that the *Ad Hoc* Sub-Committee had given preliminary consideration to various questions concerning the implementation of the relevant resolutions of the Security Council concerning Namibia but was not yet in a position to formulate specific recommendations and to submit them to the Security Council by 30 April, as provided for in resolution 276 (1970). The *Ad Hoc* Sub-Committee intended to continue its work in accordance with its terms of reference and hoped to submit its report by the end of June 1970.

405. In a note dated 15 May (S/9803) and issued by the President of the Security Council, he stated that, after consultations with all members of the Security Council, the Council had taken note of the interim report of the *Ad Hoc* Sub-Committee and agreed that the *Ad Hoc* Sub-Committee should continue its work in accordance with its terms of reference in order to be in a position to formulate its recommendations to the Security Council by the end of June 1970 at the latest.

Chapter 5

QUESTION CONCERNING THE SITUATION IN SOUTHERN RHODESIA

A. Communications and report to the Security Council and request for a meeting

406. In an eleventh addendum to his report of 28 August 1968 (S/8786), issued on 23 September 1969, the Secretary-General submitted five additional replies he had received from Governments in connexion with implementation of the provisions of Security Council resolution 253 (1968).

407. In a letter dated 16 October to the President of the Security Council (S/9476 and Corr.1), the Minister for Foreign Affairs a.i. of Portugal stated that, as a consequence of Security Council resolutions 221 (1966), 232 (1966) and 253 (1968) on the question of Southern Rhodesia, economic losses amounting to £11,438,722 had been suffered by the Portuguese Province of Mozambique between 1 January 1968 and

30 June 1969, in addition to the more than £17 million previously reported to have been lost up to the end of 1967 (S/8481 of 20 March 1968). He reiterated the desire of his Government for consultations with the Security Council, in accordance with Article 50 of the United Nations Charter, so as to determine the method of paying adequate compensation to Portugal for those losses.

408. By a letter dated 21 November (S/9510), the Secretary-General transmitted to the Security Council the text of General Assembly resolution 2508 (XXIV), adopted on 21 November 1969, concerning Southern Rhodesia. In paragraphs 12 and 14 of that resolution, the General Assembly drew the attention of the Security Council to the gravity of the situation arising from the intensification of suppressive activi-

ties against the people of Zimbabwe and from armed attacks perpetrated against neighbouring States in violation of international peace and security and to the urgent necessity of applying measures envisaged under Chapter VII of the Charter as follows:

"(a) The scope of the sanctions against the illegal racist minority régime should be widened to include all the measures laid down in Article 41 of the Charter;

"(b) Sanctions should be imposed on South Africa and Portugal, the Governments of which have blatantly refused to carry out the mandatory decisions of the Security Council".

409. In a letter dated 3 March 1970 (S/9675), the representative of the United Kingdom informed the President of the Security Council that the illegal régime in Southern Rhodesia had purported to declare the dissolution of its illegal parliament and the assumption of republican status. That declaration, like the 1965 declaration of independence and subsequent acts, was, of course, illegal. Consequently, he requested an urgent meeting of the Council.

B. Consideration at the 1530th to 1535th meetings (6-18 March 1970)

410. At its 1530th meeting on 6 March, the Security Council included the letter from the representative of the United Kingdom (S/9675) in the agenda without objection. The President then drew the attention of the Council to a draft resolution submitted on 3 March by the United Kingdom delegation (S/9676). The draft provided that the Council would recall its resolution 216 (1965) of 12 November 1965, condemn the illegal acts of the racist minority régime in Southern Rhodesia since that time, including the purported assumption of a republican status, and again require all States not to recognize that illegal régime and to refrain from rendering any assistance to it.

411. Opening the discussion, the representative of the United Kingdom read out a revised text (S/9676/Rev.1) of his delegation's draft resolution, under which the Security Council, recalling and reaffirming its resolutions 216 (1965), 217 (1965), 221 (1966), 232 (1966) and 253 (1968), would (a) condemn the illegal acts of the racist minority régime in Southern Rhodesia, including the purported assumption of a republican status; and (b) decide, in accordance with Article 41 of the United Nations Charter, that all Member States of the United Nations should refrain from recognizing that illegal régime or from rendering any assistance to it and urge States not Members of the United Nations, having regard to the principles stated in Article 2 of the Charter, to act accordingly. He urged the Council to concentrate on a single, immediate purpose, namely, to deny firmly and unanimously, on behalf of the whole world, recognition of the republican status purportedly declared by the illegal régime in Salisbury. That illegal régime, which no country in the world had recognized, had now proceeded to dissolve its parliament and sought to introduce a new constitution for the purpose of gaining international recognition, which it badly wanted in order to weaken the international will to maintain and enforce the economic sanctions against it and to secure its other purposes. He stressed that the Council should continue to act unhesitatingly, unanimously and without

compromise, so as to send out to the world a clear message that the minority régime would never be recognized, accepted or permitted entry into the family of nations; for, notwithstanding the broad and intractable problems involved or the honest differences of opinion that might exist between members of the Council, he believed that on the matter of recognition of the régime there should be no cause or room for doubt, indifference or uncertainty. Therefore, Members of the Council should act together in full agreement and take action effectively and without delay, as they had done in adopting resolution 216 (1965).

412. The representative of Zambia, speaking on behalf of the delegation of Burundi, Sierra Leone and Zambia, made a formal, procedural request to the President that the meeting of the Council be adjourned until early the following week. He explained that the Council of Ministers of the OAU, representing forty States, was then considering the question before the Security Council and had decided to send a delegation to New York to take up the matter with the Security Council. It was therefore appropriate for the Council not to be convened until that delegation had arrived in New York and until more specific instructions had been received from the OAU Council of Ministers.

413. He then gave a brief outline of the preliminary reaction of his Government to the proposals submitted by the United Kingdom to meet the situation that had arisen in Southern Rhodesia. Those proposals, he said, were very limited, and it was questionable if they were, in fact, a step towards achieving the goal held by his Government—and, he hoped, by the United Kingdom Government—of bringing an end to the illegal régime in Zimbabwe and granting independence to that Territory on the basis of the accepted principle of universal suffrage, with a constitution designed to protect all the people of Southern Rhodesia. It was no longer necessary to condemn actions of the Salisbury régime, which everyone already knew and accepted to be illegal, or merely to reiterate the appeals that the Council had been making since 11 November 1965; the proper course for the Council was to embark on a serious search for ways and means of toppling that régime.

414. Following statements by the representatives of Burundi, the United Kingdom and the Union of Soviet Socialist Republics, the Council decided to adjourn until 10 March 1970.

415. When the Council resumed its consideration of the question at its 1531st meeting on 11 March, it also included in its agenda, following the United Kingdom letter, a letter dated 6 March (S/9682) addressed to the President of the Security Council by the representatives of thirty-nine African States, requesting an urgent meeting of the Council to consider "the deterioration in the situation in Southern Rhodesia as a result of the proclamation of a so-called republic by the illegal, racist, minority régime in Salisbury", which was thereby endangering international peace and security. The letter condemned that act, which, it said, was made possible mainly by the inactivity of the United Kingdom Government, which, as the administering Power, bore sole responsibility for the situation.

416. At that meeting, the President, with the consent of the Council, invited the representatives of Algeria, Senegal and Pakistan, pursuant to their requests (S/9685, S/9689, S/9690), to participate in the discussion without the right to vote.

417. The representative of Zambia said that, as one of the delegation of three Ministers sent by the OAU Council of Ministers, he had come to New York to learn whether the Council would embark on a course of immediate action to bring an end to the illegal régime and to give full weight to the interests of all the people of Southern Rhodesia. His delegation, however, was greatly disappointed at the extremely limited nature of action requested of the Council by the delegation of the United Kingdom; it was especially disturbing that such an inadequate action should be requested by none other than the administering Power itself. No actions taken by the Security Council on the question since 11 November 1965, the day of the unilateral declaration of independence by Southern Rhodesia, had succeeded in bringing down the rebel régime in Southern Rhodesia, which was despotic and intolerant of all those who opposed it. On the contrary, the rebel leader, Ian Smith, had boasted of a visible balance of trade for Southern Rhodesia in 1969 and had claimed a growth of 13 per cent in the gross national product for that year, with prospects of a high rise in industrial production for 1970. It was justifiable to conclude, therefore, that the so-called sanctions policy pursued by the Council for the past four years had been only a decoy. The failure of that policy had been exposed by many qualified observers and by the report of the Committee on Sanctions of 13 June 1969 to the Security Council (S/9252/Add.1). The policy of sanctions could succeed only if the Security Council took appropriate measures under Chapter VII of the United Nations Charter to compel the Governments of South Africa and Portugal to comply with the decisions of the Council.

418. The representative of Zambia on instructions from the OAU, then put the following specific requests before the Council: (a) that the existence of an illegal régime in Rhodesia should be condemned and no recognition given to it; (b) that all States should undertake all appropriate measures to ensure that no act should be performed in their territories by anyone or any institution whatsoever on behalf of the illegal minority régime; (c) that all States should, in accordance with Chapter VII of the Charter, immediately sever all consular, economic, military or other relations with that régime, including rail, maritime and air transport and postal, telegraphic, radio and other means of communications; and (d) that those measures should also be applied by the specialized agencies and organs of the United Nations. He further requested that the Council should reiterate its decision to render moral and material assistance to the national liberation movements of Zimbabwe. The African States, he said, remained convinced of the primary responsibility of the United Kingdom Government over the Territory and believed that that Government should apply all means at its disposal, including the use of force, to put an end to the rebellion and then embark on a speedy programme of granting independence to the people of Zimbabwe.

419. The representative of Sierra Leone agreed that the question of non-recognition was one that must be dealt with firmly and quickly. He observed that, although it did not fully meet the needs of the situation, the draft resolution submitted by the United Kingdom delegation might deter the international community from giving recognition to the illegal régime. He was gratified to note that certain countries had already decided to withdraw their consulates from the British Territory of Southern Rhodesia. In the current situa-

tion, he considered that any measure short of forceful action would appear to be condonation. The policy of economic sanctions, although it had had a limited effect and involved sacrifices by many countries, like Zambia, Botswana and the United Kingdom, had failed in its purpose owing to the connivance of South Africa and Portugal. Those two countries had openly and blatantly refused to obey the wishes of the Council and, accordingly, should be dealt with under the provisions of Articles 41 and 42 of the Charter. There was no alternative to the use of force by the United Kingdom to end the rebellion, and it was a genuine proposal on the part of the African nations which advocated it. The United Kingdom was eminently capable of exercising judicial, or even military, force to halt and correct a situation in which force had already been used by the rebels through their treasonable act in November 1965 and their murderous executions in March 1968. Therefore, the United Kingdom should reconsider its position on the question of the use of force to discipline the rebel minority in Southern Rhodesia. He condemned the prejudice shown by the leader of the illegal régime and pointed out that there were several Black Rhodesians, men and women, who could quite easily and adequately function as distinguished cabinet ministers, ambassadors and leaders. In conclusion, the representative of Sierra Leone referred to the consensus submitted to the Security Council on 9 March (S/9686 and Corr.1) by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, which, he said, expressed the views of his delegation. The consensus strongly condemned the purported republican status and the other illegal acts by the racist minority régime and urged all States to deny it recognition or co-operation. It also called upon the United Kingdom, as the administering Power, and the Security Council to take all appropriate measures to bring the rebellion to an end and to ensure the full implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

420. The representative of Algeria said that the news of the proclamation of the alleged republic was not of importance in itself and had not come as a surprise. The attempt by the administering Power to hurry to the Council with a request for yet one more condemnation of illegal action was irrelevant, and tantamount to an evasion of responsibility. The crux of the issue was the refusal of the United Kingdom to assume its responsibility or to accept the logical and inevitable advancement of the people of Zimbabwe. Through its inactivity, the United Kingdom had facilitated the consolidation of *apartheid* in Southern Rhodesia and had abandoned to their fate the 4 million Africans there. It was clear that all measures adopted by the Security Council, culminating in the imposition of sanctions, had been disappointingly futile in bringing down the rebel régime, mainly owing to the refusal by South Africa and Portugal to implement them. Therefore, the situation in Southern Rhodesia had reached such a point that any proposed solution that ruled out the use of force was no longer viable. Inasmuch as the United Kingdom could not be expected to use force, it remained for the United Nations, in particular, for the Security Council, to overcome the difficulties hitherto encountered in shouldering their responsibilities. Meanwhile, the people of Zimbabwe would be justified in combating with violence the violence that oppressed them, and States Members that committed themselves

to render all necessary assistance to their resistance would be acting in accordance with the Charter of the United Nations.

421. The representative of France observed that the proclamation of 2 March, which had prompted the meeting of the Security Council, consolidated the rebellion of the settlers against the authority of the administering Power and, as thirty-eight African States had pointed out, it was a challenge to the United Nations as a whole. Although France doubted that sanctions could remedy the situation, it was sincerely applying the measures decided upon by the Council and would support any measure that aimed at condemning the proclamation of the so-called republic, preventing any recognition of it and contributing to the restoration of legal authority in the rebel colony. He announced that his Government had decided to close the Consulate-General of France in Salisbury, which had not in fact been occupied by a consul-general for several years.

422. The representative of the United Kingdom again appealed to the Council, as a matter of great urgency and importance, to deny the régime in Salisbury the recognition it so badly wanted. He had never said that the matter before the Council was solely a question of recognition, or even that the step currently advocated by his delegation was the only or the final step. In particular, his delegation did not retreat from any of the Council's decisions on the question, which should be fully and energetically carried out.

423. The representative of Zambia stressed that the African people were not interested in merely condemning the declaration of the republican status in Southern Rhodesia; the crux of the matter was the rebellion itself, which the administering Power was trying to cover up, and it was the duty of the Council not to allow the United Kingdom to do so. After reviewing the failure of every step advocated by the United Kingdom since 1965 to terminate the rebellion, he pointed out that the United Kingdom's predictions had been disproved and the African people's fears upheld. It was time, he said, for the United Kingdom Government to sit down with the African countries and hold serious discussions about the future of Zimbabwe. The African countries were entitled to know the real intentions of the United Kingdom on the question, inasmuch as they could not understand that country's current policy, which appeared to be one of duplicity and prevarication. It was their strong conviction that only the use of force would have toppled the illegal régime, but the Labour Party Prime Minister of Britain had declared publicly, even before the actual rebellion had started, that force would not be used by the United Kingdom. Force had always been used in the various former British colonies, and if the rebellion in Rhodesia had been carried out by the Black African leaders, he doubted that the United Kingdom would have maintained the same complacent attitude. He warned that the United Kingdom, which had always exhorted the African countries to be patient and reasonable, should itself make an honest reappraisal of its policy without further delay; otherwise the African people would be forced to resort to violence, the consequences of which would be disastrous, and for which the Government of the United Kingdom would be solely responsible.

424. At the 1532nd meeting on 12 March, the President, after inviting the representative of Yugoslavia, at his request (S/9697), to participate in the discussion without the right to vote, drew the attention

of the Council to the draft resolution sponsored by the delegations of Burundi, Nepal, Sierra Leone, Syria and Zambia (S/9696) which read as follows:

"The Security Council,

"Recalling and reaffirming its resolutions 216 (1965) of 12 November 1965, 217 (1965) of 20 November 1965, 221 (1966) of 9 April 1966, 232 (1966) of 16 December 1966 and 253 (1968) of 29 May 1968,

"Reaffirming in particular its resolutions 232 (1966), in which it determined that the situation in Southern Rhodesia constitutes a threat to international peace and security,

"Deeply concerned that the situation in Southern Rhodesia had deteriorated further as a result of the proclamation of a so-called republic and that the measures so far taken have proved inadequate to resolve the situation in Southern Rhodesia,

"Gravely concerned further that the decisions taken by the Security Council have not been fully complied with by all States,

"Noting that the Governments of the Republic of South Africa and Portugal, in particular, in contravention of their obligation under Article 25 of the Charter of the United Nations, have not only continued to trade with the illegal racist minority régime of Southern Rhodesia, contrary to the terms of Security Council resolutions 232 (1966) and 253 (1968), but have in fact given active assistance to that régime, enabling it to counter the effects of measures decided upon by the Security Council,

"Noting in particular the continued presence of South African forces in the Territory of Zimbabwe,

"Affirming the primary responsibility of the Government of the United Kingdom to enable the people of Zimbabwe to exercise their right of self-determination and independence,

"Reaffirming the inalienable right of the people of Zimbabwe to freedom and independence and the legitimacy of their struggle for the enjoyment of that right,

"Acting under Chapter VII of the Charter of the United Nations,

"1. Condemns the proclamation of a so-called republic in Zimbabwe by the racist minority régime in Salisbury and declares null and void any form of government which is not based on the principle of majority rule;

"2. Decides that all States Members of the United Nations shall refrain from recognizing this illegal régime and urges States not Members of the Organization, having regard to the principles set out in Article 2 of the Charter of the United Nations, to act accordingly;

"3. Calls upon all States to take appropriate action at the national level to ensure that no competent State authority gives official or legal recognition to any act carried out by the leaders and institutions of the illegal régime in Southern Rhodesia;

"4. Emphasizes the responsibility of the Government of the United Kingdom, as the administering Power, with regard to the situation prevailing in Southern Rhodesia;

"5. Condemns the persistent refusal of the Government of the United Kingdom, as the administer-

ing Power, to use force to bring an end to the rebellion in Southern Rhodesia and enable the people of Zimbabwe to exercise their right to self-determination and independence in accordance with General Assembly resolution 1514 (XV);

"6. *Decides* that all States shall immediately sever all diplomatic, consular, economic, military and other relations with the illegal racist minority régime in Southern Rhodesia, including railway, maritime, air transport, postal, telegraphic and wireless communications and other means of communication;

"7. *Calls upon* the Government of the United Kingdom, as the administering Power, to abrogate any existing agreement on the basis of which commercial or other foreign consular missions can be maintained in Southern Rhodesia;

"8. *Condemns* the assistance given by the Governments of Portugal and South Africa and by other imperialist Powers to the illegal racist minority régime in defiance of resolutions of the Security Council and demands the immediate withdrawal of the troops of the South African aggressors from the Territory of Zimbabwe;

"9. *Decides* that Member States and members of the specialized agencies shall apply against the Republic of South Africa and Portugal the measures set out in resolution 253 (1968) and in the present resolution;

"10. *Calls upon* all Member States and members of the specialized agencies to carry out the decisions of the Security Council in accordance with their obligations under the Charter of the United Nations;

"11. *Calls upon* all States Members of the United Nations, and, in particular, those with primary responsibility under the Charter for the maintenance of international peace and security, to assist effectively in the implementation of the measures called for by the present resolution;

"12. *Urges* all States to render moral and material assistance to the national liberation movements of Zimbabwe in order to enable them to regain their freedom and independence;

"13. *Requests* all States to report to the Secretary-General on the measures taken to implement the present resolution;

"14. *Requests* the Secretary-General to report to the Security Council on the progress made in implementing the present resolution."

425. The sponsors of the draft resolution subsequently reworded operative paragraph 3 to read (S/9696/Corr.2):

"*Calls upon* all States to take measures as appropriate, at the national level, to ensure that any act performed by officials and institutions of the illegal régime in Southern Rhodesia or by persons and organizations purporting to act for it or in its behalf shall not be accorded any official recognition, including judicial notice, by the competent organs of their States".

They also revised operative paragraph 7 to read (S/9696/Corr.1):

"*Requests* the Government of the United Kingdom, as the administering Power, to rescind or withdraw any existing agreements on the basis of which foreign consular, trade and other representations may, at present, be maintained in or with Southern Rhodesia".

426. The representative of the Union of Soviet Socialist Republics said that in spite of the steps progressively taken by the Security Council, including the institution of mandatory sanctions under Article 41 of the Charter, which were being strictly implemented by many States, among them the Soviet Union, the latest events had shown that the situation in Southern Rhodesia was undergoing a sharp deterioration and that the threat to peace, far from diminishing, was only increasing. The régime in Salisbury continued to exist and was in fact stabilizing itself and becoming stronger. That situation was caused by the patronage and support that the racist régime received, some of it openly, from South Africa, Portugal, the United States, the Federal Republic of Germany and certain other States, as well as from the United Kingdom itself, which bore the main responsibility for the emergence and existence up to that time of the racist régime in Southern Rhodesia. Nearly all those States were members of the same military bloc, NATO. He quoted figures published by the International Monetary Fund and the International Bank for Reconstruction and Development showing that during the first eight months of 1969 alone, West Germany, Japan, the United States and the United Kingdom had increased their exports to South Africa by a total of more than \$120 million, a considerable part of which, he said, found its way across the completely uncontrolled frontier between the Republic of South Africa and Southern Rhodesia to those markets for which it was essentially destined—the markets of racist Southern Rhodesia. Another cause of the failure of the sanctions policy was the activity in Southern Rhodesia of imperialist monopolies and the presence of their investments, which, according to a recent working paper prepared for the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (A/AC.109/L.616), had been granted forty-one prospecting concessions during the first three quarters of 1969. Moreover, there was, until recently, the existence of consular and other missions, which had served to camouflage politico-diplomatic links between a number of Western countries and the racist régime in Southern Rhodesia. A particular role had been played by the United Kingdom, which, he said, pursued a double policy concerning Southern Rhodesia: on the one hand, it claimed responsibility for the Territory and overtly acted as if it really intended to bring the régime down, publicly proclaiming its support for the Security Council resolution on the question of sanctions. In fact, however, it continued to support the régime of the Southern Rhodesian racists economically and politically, and to protect it. It stubbornly refused to take substantive measures against the rebel régime and consistently prevented the Council from adopting such measures. Furthermore, the United Kingdom, supposed to have a very strict Treason Act, had not invoked that Act against the rebels in its Territory. The essence of the question was that the Southern Rhodesian racists were committing crimes not against the United Kingdom Government and British finance capital but against Africa, against the people of Zimbabwe and the African peoples in general. In the circumstances, the Security Council, guided by the principles of the Charter, should take an effective decision which would reverse the developments in Rhodesia. He considered that the draft resolution submitted by the African and Asian States

in the Council provided the necessary basis for such action, and his delegation would support it.

427. The representative of Nepal said that his delegation welcomed the decision of certain countries having economic and other interests in Southern Rhodesia not to accord any recognition to the régime's purported new status. But if the Council were to concern itself merely with non-recognition and condemnation of another illegal act by an illegal régime, a policy that had failed in the past, it would serve only to encourage the white supremacy and be another disappointment to the people of Southern Rhodesia. The administering Power should assert its authority by all the means at its disposal, including the use of force, in order to end the rebellion and grant independence to Southern Rhodesia on the basis of democratic principles; and the Security Council, particularly its permanent members, should take all appropriate measures to that end.

428. The representative of Poland said that the unlawful proclamation of a so-called republic by the Smith régime was designed to consolidate in Southern Rhodesia a system of colonialism combined with racism which defied the fundamental concepts constituting the basis of the United Nations Charter. He suggested that the Council should make an in-depth examination of all the facts of the problem. First, there should be clear and precise reaffirmation of the purposes of the United Nations with regard to the question; then, an analysis as to why those objectives had not yet been achieved; and, finally, recommendations of the measures necessary to put an end to the situation. The aim of the United Nations was and remained to enable the people of Southern Rhodesia to exercise their inalienable right to self-determination. In pursuit of that goal, the Security Council must go beyond the United Kingdom appeals for mere condemnation and non-recognition of the régime and adopt all measures necessary to deliver the Zimbabwe people from colonialist and racist oppression and to eliminate the growing threat to peace and security. A historical review of the question indicated the full responsibility of the administering Power and its allies for the failure of United Nations action aimed at bringing down the rebel régime, including the imposition of sanctions. Since 1962 they had rejected, ignored or weakened proposed measures towards that end, measures that had the support of the large majority of United Nations Members. Thus their position determined the limited and ineffective nature of United Nations action. The complete failure of sanctions was due to delay in their adoption as well as to the vast aid supplied to the Smith régime through South Africa and Portuguese colonies from sources linked with economic and military interests of some Western countries. The impunity of the racist régime and the support it received should no longer be tolerated. But he emphasized above all that the administering Power should fully discharge the obligation incumbent upon it, responsibilities which it had always claimed towards the people of Zimbabwe. He stated that Poland had always maintained a consistent attitude towards the racist régime in Southern Rhodesia. It had refused recognition to that régime and did not maintain any relations with it, including postal and telegraphic communications. Poland had actively supported initiatives in the United Nations aimed at the elimination of the racist régime and the restoration of freedom to the oppressed people of Zimbabwe. It supported and would continue to support

that people in its struggle for independence. Accordingly, his delegation would favourably examine the draft resolution submitted by the Afro-Asian countries or any draft resolution intended to achieve the objectives of the United Nations.

429. The representative of Syria said that the situation in Southern Rhodesia had been recognized by the Security Council in resolution 232 (1966) to be a threat to international peace and security; it was contrary to every norm of international law and justice and even the administering Power had declared it to be inadmissible. Yet the policy of sanctions decreed by the Council to combat that situation had failed to produce the desired effect, owing to their frustration by South Africa and Portugal; and it was the administering Power itself and its allies that had opposed the application of similar measures against those two countries. Now the rebel régime had purported to sever even its symbolic relationship with the British Crown, but that was not of great significance in the context of the whole situation; the important thing was the régime's usurpation of the government of Zimbabwe, its oppressive controls and its suppression of the legitimate rights of the 4 million African people there. For those reasons the Afro-Asian delegations of Burundi, Nepal, Sierra Leone, Syria and Zambia had developed a draft resolution reflecting the decisions of the OAU and seeking to re-establish the question in its proper context.

430. In introducing the five-Power draft resolution, the Syrian representative drew the attention of the Council to the changes in operative paragraphs 3 and 7 (S/9696/Corr.1 and 2). Referring to paragraph 5, which condemned the refusal of the administering Power to use force, he quoted, from a book by the Permanent Representative of the United Kingdom, a statement to the effect that strong measures would have to be taken by the United Nations and that when that time came, the greatest responsibility would fall upon those who had sought to limit the powers and diminish the authority of the United Nations. The sponsors of the draft resolution, he then stated, maintained that the United Kingdom, backed by the material and moral support of the United Nations, was still in a position to fulfil its obligation with regard to the situation in Southern Rhodesia. They also urged the Council to adopt the five-Power draft resolution, which they believed would ensure the end of the racist régime and the granting to all the people of Zimbabwe their right to an independent Government based on majority rule and equality.

431. The representative of Burundi appealed to members of the Council, particularly the friends of the United Kingdom, to support the five-Power draft resolution, which showed a spirit of understanding and compromise and did not confine itself to just one aspect of the problem, as did the United Kingdom draft resolution. The sponsors of the five-Power draft resolution sought not to embarrass the United Kingdom but to assist that country in carrying out its proper duty with regard to the interests of all the people of Zimbabwe. For that reason, they had incorporated into their text the proposals contained in the United Kingdom draft resolution. Although their draft resolution tried to go to the heart of the problem, by calling upon the Security Council to discharge its responsibilities, they still believed that, in the last analysis, it was the United Kingdom that should assume the main respon-

sibility and face up to the situation that it had itself created.

432. The representative of Senegal reviewed the history of Southern Rhodesia from the time of the first settlers there, particularly the discriminatory land laws which had led over the years to the despicable plight of the African population and entrenched the privileged position of the few white people. In those circumstances, his delegation did not believe that economic and other sanctions were the tools that would cause the rebel leaders to back down. It was necessary for the administering Power to use more energetic means to achieve that result, but it was doubtful if the United Kingdom would actually do so. Therefore, it was the duty of the Council, particularly the great Powers, to restore the dignity of the people of Zimbabwe, who were anxiously awaiting its decision on their fate.

433. At the 1533rd meeting on 13 March, the President, with the consent of the Council, invited the representative of India, at his request, to participate in the discussion of the question without the right to vote.

434. The representative of Pakistan enumerated six propositions implicit in the resolutions already adopted by the Council on the question by virtue of its invocation of Chapter VII of the Charter: (a) that the racist minority régime in Southern Rhodesia was wholly illegal and should not be recognized; (b) that the continuance of that régime constituted a threat to international peace and security; (c) that the people of Southern Rhodesia were entitled to full self-determination and independence and that all States Members of the United Nations should render them material and moral assistance to that end; (d) that the situation in Southern Rhodesia, prior to full independence of the Territory, remained a primary responsibility of the United Kingdom, the legal administering Power; (e) that all attempts at a peaceful resolution of the situation having repeatedly failed, the situation demanded coercive measures by the Security Council; and (f) that countries affording assistance and encouragement to the illegal régime were violating their obligations under Article 25 of the Charter. To the extent that the effectiveness of a measure was judged by its success none of the Council's measures had so far produced the desired effect of reversing the course adopted by the rebel régime. His delegation did not believe that reaffirmation of any decisions already made by the Council, such as was proposed in the United Kingdom draft resolution, would be adequate to the current situation. Although the quick action of the United Kingdom in requesting an urgent meeting of the Council and presenting its draft resolution had fortunately induced a number of countries to sever their consular relations with Southern Rhodesia, the new situation there required a more meaningful response than the Council had so far made. He therefore urged the Council to support the five-Power draft resolution. Inasmuch as the rebellion could not be suppressed without the use of force, the time had come for representatives of the permanent members of the Council and the OAU Council of Ministers to hold consultations in an open-minded spirit about the possibilities of such a course of action, over and above any resolution to be adopted by the Council. That suggestion should be taken seriously, for too often in the past the assessments made by the African States and their

warnings concerning the question had been ignored or gone unheeded.

435. The representative of the United States said that his Government maintained the view that developments in Southern Rhodesia, inasmuch as they were intrinsically unjust and emanated from an illegal régime, were without legal effect and could not in any way be considered to give any legitimacy to that régime. Consistent with that position, the United States Government had decided to close its consulate in Salisbury and had no intention of recognizing the illegal régime. He hoped that the Council would act speedily and unanimously in adopting the United Kingdom draft resolution and that, in charting the course for the future, it would continue to act with unanimity. The only ones who would find any solace in division of the Council would be Mr. Smith and his friends. On the other hand, speedy adoption of the United Kingdom draft resolution would show that the Council refused to recognize the Smith régime and remained firm in its belief that majority rule would eventually come to Southern Rhodesia. Although it was regrettable that South Africa and Portugal continued to flout the sanctions called for in resolution 253 (1968), the question remained whether the extreme measures of applying the sanctions to those neighbouring countries would be sufficiently supported by the international community, especially those most concerned to make them really effective, or whether such a stop would merely demonstrate the limitations of the United Nations. He urged the Council to avoid embarking on unrealistic courses of action which might overextend the capacity of the Organization for effective action and further entrench the Smith régime and its supporters in southern Africa. He also expressed doubt regarding the wisdom and effectiveness of imposing a communication ban as envisaged in the five-Power draft resolution. Such action would be inconsistent with his country's long history and tradition of freedom of movement and speech; nor could the United States contemplate leaving its citizens stranded without the means of travel or communication. Furthermore, cutting off the free flow of information might tend to harden further the attitude of the white minority and foreclose the possibility of real progress.

436. The representative of Zambia expressed dismay at the suggestion of the United States representative that the proposals in the five-Power draft resolution would overextend the United Nations, further aggravate an already complicated situation and harden the attitudes of the whites in Southern Rhodesia. In his delegation's opinion, it was precisely the inaction of the United Nations that would damage the Organization. The Afro-Asian draft resolution was a compromise draft, which did not even call for the use of force, and its sanctions proposals were aimed at averting a bloody holocaust that would otherwise result from the resistance of the people of Zimbabwe against the Smith régime's aggression and repression. He urged the United States to take steps to stop its purchase of chrome from Southern Rhodesia and to consider closing the Rhodesian tourist office and its propaganda activities in the United States. He further urged the United States to stop following the United Kingdom as a matter of course and to assume a positive posture in the spirit of the principles which underlay the struggles for independence of both the American and the Zimbabwe peoples.

437. In reply, the representative of the United States assured the Council categorically that the United States was not importing any chrome from Southern Rhodesia; it had secured alternative sources of supply for that commodity and was scrupulously abiding by the sanctions imposed by the Council.

438. The representative of Yugoslavia said that the problem of Southern Rhodesia constituted a test of the consciousness and the effective performance of the United Nations, inasmuch as it involved violation of the most fundamental norms of international relations and disrespect for its decisions. The economic sanctions adopted by the Security Council in resolution 253 (1968) had proved ineffective because they had been inadequately implemented, not only by South Africa and Portugal but by a number of other countries with substantial economic interests and commitments in Southern Rhodesia. He referred to the Secretary-General's reports on the matter (S/8786/Add.1-11) and asked why thirty-one countries, including twenty-seven States Members of the United Nations had not submitted any reports as to their implementation of that resolution. The failure to eliminate the illegal régime in Southern Rhodesia had strengthened the alliance between South Africa, Portugal and Southern Rhodesia, which constituted an instrument of suppression of the struggle for freedom, independence and fundamental human rights of the people of southern Africa. His delegation, although it maintained its stand that the United Kingdom should take the necessary measures itself, considered that the most effective course of action had already been set out by the General Assembly's resolution 2508 (XXIV) of 21 November 1969, which should be implemented immediately. Yugoslavia had always fully supported the efforts of the United Nations on the matter, and a special law had been enacted by the Yugoslav Federal Assembly on 11 February 1969, prohibiting the establishment of trade or economic relations with the illegal minority régime of Southern Rhodesia. He also quoted the *communiqué* issued on 8 February, following the talks held between the Presidents of Yugoslavia and Zambia, which called upon the United Nations and the international community to "take concrete and urgent measures which would lead, as soon as possible, to the liberation of the people of Angola, Mozambique, Rhodesia, Namibia, South Africa and Guinea (Bissau)".

439. The representative of Finland urged the Council to respond to the appeal made by the special delegation of the OAU by taking further measures to increase international pressure on the illegal régime. To make that pressure effective it was essential to restore the unity of the Council and avoid a new division, such as had happened in June 1969, which might only give encouragement to Mr. Smith and his supporters. A new division in the Council would only further dismay and confuse all those who had faithfully carried out the decisions of the Council. Since neither of the two draft resolutions submitted by the United Kingdom and by the five-Powers would provide a basis for unanimous action, his delegation suggested that the Council might, instead, under the mandatory provisions of Article 41 of the Charter, decide that all Member States should immediately sever all diplomatic, consular, trade, military and other relations with the illegal régime and interrupt any existing means of transportation to and from Southern Rhodesia. It should also exclude that régime from participation in

any multilateral relations between States and suspend its membership in some of the specialized agencies. Furthermore, the Council should call upon Member States to carry out the sanctions more effectively and might give a wider and more active role to the Committee established by resolution 253 (1968). Finally, his delegation suggested that more assistance should be given by States Members of the United Nations and by members of the specialized agencies and other international organizations to Zambia, a country that very strongly felt the impact of the consequences of the measures taken against Southern Rhodesia.

440. The representative of China said that the failure of the sanctions policy and the failure of the Council to adopt a resolution on the question in June 1969 had exposed the basic weakness of the United Nations and the unbridgeable gap between what was demanded of the Council and what it was able to do. In the face of such a situation, the Council must at least condemn the latest act of the illegal régime and call on all Member States to deny it recognition, an issue upon which it should speak with one voice and one mind, as urged by the representative of the United Kingdom. However, in the absence of more energetic action, the United Kingdom had a continuing responsibility, and it would have to decide on some further action eventually, however painful and unpalatable. Meanwhile, his delegation felt that the increased pressure suggested by the delegation of Finland seemed practical and should be put into practice without delay.

441. The representative of Burundi said that his Government was grateful for the action of those countries that had decided to close their consulates in Salisbury. Nevertheless, the United Kingdom must still bear the blame for the events in Southern Rhodesia, which it had left to develop through its connivance with the monopolizers of power there. The United Kingdom was well aware of the good relations it could expect from Zimbabwe, if it decided to promote the inalienable rights and powers of the people of Zimbabwe; but so long as it sided with the interests of the racist supremacists there, it could not count on the indulgence of the African countries towards it. Therefore, the leaders in the United Kingdom must choose in their own interest either to join Africa or for ever to cut off their ties with that continent. It was surprising that such a complacent attitude should be adopted by a Labour Party Government in London; obviously the Prime Minister had preferred political opportunism to the most elementary principles of justice. However, it was high time for the Rhodesian settlers to end their barbaric crimes against the people of Zimbabwe, whose only struggle aimed at regaining their right to life, independence and property. Otherwise, the representative of Burundi stressed, there was no alternative but for the administering Power to use force, which it was easily capable of employing, to remove the minority régime in Southern Rhodesia. If the United Kingdom was itself unwilling to take that action, then it should make a twofold commitment: first, not to oppose the people of Zimbabwe when they took action themselves, and second, to supply them with all the military means necessary to overthrow the colonial oligarchy there.

442. The representative of India quoted statements by the Indian Prime Minister and the Deputy Foreign Minister deploring the action of the rebel régime in purporting to declare a republic and appealing to international action for effective measures that would

lead Southern Rhodesia towards independence based on the principle of no independence before African majority rule. He regretted that in the Council there was too much talk and too little determination to act. Clearly, the Smith régime had rebelled against the British Crown and had violated the United Nations Charter again and again. Surely, the United Kingdom was under obligation to adopt effective measures, including the use of force, against that régime. A number of countries had just announced their decision to close their consulates there, a highly commendable action; but it seemed curious that the United Kingdom had not already withdrawn or cancelled the exequaturs so many years after the Council had decided upon the boycott of consular, diplomatic and other relations with the Territory. His delegation appreciated that no effective action could be expected of the United Kingdom, and much less of South Africa and Portugal; but it believed that the proposals contained in the five-Power draft resolution might yet provide a way out.

443. At the 1534th meeting on 17 March, the President, with the consent of the Council, invited the representative of Saudi Arabia, at his request, to participate in the discussion without the right to vote.

444. The representative of Nicaragua said that his Government condemned the illegal régime of Southern Rhodesia and its legal system based on racial discrimination and did not recognize it. Inasmuch as all the delegations had recognized the need to change the unfortunate situation in Southern Rhodesia, the Council should seek methods that would translate into reality that unanimous desire to find a favourable and viable solution to the problem. His delegation therefore felt that the proposals made by the delegation of Finland, incorporating the proposals in the United Kingdom draft and a good portion of the five-Power draft, could serve to unite the opinions of the members of the Council.

445. The representative of the United Kingdom repeated his call for unanimity in adopting effective measures to meet the situation in Southern Rhodesia; that was a matter of primary concern to his delegation, as it should be to all. If the Council should divide and disagree, it would not be serving the interests of the people of southern Africa. The questions of recognition and condemnation contained in his delegation's proposals were very important, as every delegation had recognized. As a result of the call for a refusal to recognize, nine countries had already decided to close their consulates in Salisbury, a most welcome and spectacular response. On those questions, therefore, it was already absolutely clear that the Council was unanimous. Referring to the appeals by several delegations for the use of force and the extension of sanctions to cover all southern Africa, he reaffirmed his Government's position by quoting from his statement to the Council in August 1969 that the United Kingdom could not undertake to start a war by invading Southern Rhodesia, a self-governing Territory, where there had not been a British army or any British official in administrative capacity since 1923. The problem, therefore, was not one of merely deciding to adopt a new local policy or of taking local action in order to maintain order, as the British Government had done in its former colonies, but of an invasion and the start of a war. Once force was used, escalation could easily ensue, and the results of such violent action were always incalculable. He also quoted his

statement to the Special Political Committee in 1965 regarding a proposal for the extension of sanctions to South Africa, that it was impossible for the United Kingdom to go beyond its arms embargo already imposed against that country, and that a full campaign of economic sanctions backed by a blockade would require resources beyond the capacity of the United Nations. Moreover, it would mean economic suicide for the United Kingdom. As regards the implementation of the sanctions against Southern Rhodesia, he rejected the allegations of complacency and collaboration imputed to his country by the representative of the USSR. He assured the Council that no country had done more than the United Kingdom in implementing the sanctions, which his delegation wished to see made even more effective. The United Kingdom had taken more effective punitive action than any other country against its citizens shown to have engaged in trade with Southern Rhodesia, and it brought to the attention of the Council's Committee on sanctions nearly a hundred reports of possible breaches of the sanctions.

446. The representative of Spain said that, although there was agreement on condemnation of the régime in Southern Rhodesia, on reinforcement of the sanctions laid down in Security Council resolution 253 (1968) and on the necessity of adopting measures to put an end to the intolerable situation, there was no agreement as to the scope of such measures and the responsibilities involved. The United Kingdom was primarily responsible for the situation in Southern Rhodesia, which was the result of its colonial policy there based on racial discrimination and contempt for human values. Such policy contrasted sharply with the United Kingdom's claims that the interests of the people of Zimbabwe were paramount. Moreover, by not making use of all the resources within its reach to enforce the sanctions policy, the United Kingdom was encouraging the Salisbury régime to resist the economic blockade. Because of those considerations, the delegation of Spain did not consider that the United Kingdom draft resolution would contribute to a solution of the situation.

447. The representative of Saudi Arabia said that the serious question facing the United Nations was whether it could devise machinery capable of solving problems such as the one before the Council or must continue with oratory and empty promises and thereby risk the loss of world confidence and self-destruction. The United Kingdom could not be expected to use force against Southern Rhodesia, something that was perhaps beyond its capacity, and the Council was wrong to continue to put the onus of solving the problem on that Government. He suggested that that onus should now devolve upon the two super Powers, the United States and the USSR, two countries that were opposed to colonialism and were committed to principles of equality. In addition to the sanctions and all the other measures embodied in the draft resolutions before the Council, those two Powers could organize, through the United Nations, a sort of *cordon sanitaire*, if they could not use paratroopers, against the racists in Africa. Then the United Nations, particularly its Office of Public Information, should take the lead in educating the white racists in southern Africa to accept Africans as their equals. Referring to the United Kingdom draft resolution, he suggested that the word "urges" in operative paragraph 3 should read "requests" or "calls upon", in order to give it a greater sense of obligation. He then urged the Council to adopt measures that could

be translated into deeds and not merely to engage in oratory about what could or could not be done.

448. The representative of the Union of Soviet Socialist Republics stated that not only his delegation but the overwhelming majority of the Council and the delegations that had participated in the discussion had decisively condemned the United Kingdom's policy on Southern Rhodesia. His delegation had not denied that the United Kingdom was very active in the Security Council's Committee on Sanctions but believed that such activity was only for show and was aimed at diverting attention from the facts. The fact was that the United Kingdom refused to take effective measures, thereby giving support to the illegal régime. The representative of the United Kingdom had failed to reply to the points raised by the USSR delegation concerning the failure of the United Kingdom to apply its Treason Act against the rebels, the extent of Western investments in Southern Rhodesia and the part played by South Africa and Portugal in thwarting the operation of sanctions against that country, as had been shown in the second report of the Committee on Sanctions (S/9252). He also cited figures prepared by the Unit on Apartheid of the United Nations Secretariat, showing that up to the end of 1966, capital investments by Western countries in South Africa, a country that was giving direct help to Southern Rhodesia, amounted to \$5,313 million, of which the United Kingdom accounted for \$3,042 million and the United States \$697 million. Moreover, the United Kingdom had investments in Southern Rhodesia currently amounting to £200 million, and the United States \$55 million. If such sums were withdrawn from that country, the foundations of its economy would be shaken. Those were all facts, not misrepresentations, and no one could deny them. If it was the United Kingdom's intention to help the people of Zimbabwe, he felt that the United Kingdom delegation's vote on the five-Power draft resolution, particularly on paragraphs 8 and 9, which sought to condemn South Africa and Portugal and to extend the sanctions to those two countries, would be most indicative.

449. The President, speaking as the representative of Colombia, observed that the Council was unanimous in its repudiation of the action of the Salisbury régime, and its condemnation of a situation that was unjust and unacceptable under the principles of the United Nations Charter. But it was his delegation's belief that any measures proposed to meet the situation should command broad support in the Council, because the effectiveness of such measures depended on the decisions and genuine co-operation of all the nations of the world that were aware of their international responsibilities. His delegation did not consider that either of the draft resolutions submitted by the United Kingdom and the five Powers coincided with its own attitude in that regard. Should neither of the draft resolutions be adopted, the Council should nevertheless continue to search for some formula that would command unanimous support.

450. The representative of the United Kingdom, speaking on a question of procedure, proposed that the Council should not proceed to vote that day on the two draft resolutions but should recess for a day so as to enable the members to reconsider all the proposals in informal consultations, particularly those submitted and expected to be presented as a formal draft resolution by the delegation of Finland.

451. The representative of the United States pointed out that the possibility of changes in the Afro-Asian text or of holding separate paragraph votes on certain portions of that text were new developments. He therefore requested a twenty-four hour delay to study the new situation.

452. The representative of Sierra Leone, on behalf of the sponsors of the five-Power draft resolution, Burundi and the USSR, opposed the motion on the grounds that the proposals had been before the Council long enough. A quick decision on them would be in keeping with the urgency with which the United Kingdom delegation had requested a meeting of the Council, even at the inconvenience of the African delegation. Moreover, the Council should not concern itself with a future draft resolution by the delegation of Finland, which had not yet been formally submitted.

453. The representative of the United Kingdom formally moved, under rule 33 of the Council's rules of procedure, that the Council should adjourn until 3 p.m. the following day.

Decision: *At the 1534th meeting, on 17 March 1970, the United Kingdom motion was rejected by 7 votes to 6, with 2 abstentions (Colombia and Spain).*

454. The representative of the United States stated that the five-Power draft resolution was of great importance and scope and the possible change in its form resulting from paragraph-by-paragraph voting would create a new situation. Even in its existing form, it made far-reaching proposals, including the severance of all communications with Southern Rhodesia and the extension of sanctions to South Africa and Portugal, measures requiring a comprehensive blockade quite beyond the current capacity of the United Nations. Consequently, he formally moved that the Council, as a matter of courtesy, should agree to a suspension of the meeting for half an hour, in order to give the members at least that much time to reflect on the new situation before voting on the draft resolutions.

455. The United States motion was supported by the delegations of Nicaragua and the United Kingdom but opposed by the delegations of Burundi, Poland, Sierra Leone, Syria and Zambia, which proposed, instead, that the Council should proceed to vote at once on the draft resolutions before it. After further procedural interventions, the Council proceeded to vote on the United States motion.

Decision: *At the 1534th meeting, on 17 March 1970, the United States motion to adjourn was rejected by 7 votes to 6 with 2 abstentions (Colombia and Spain).*

456. Before the Council proceeded to vote on the two draft resolutions, the representative of China, in explanation of vote, said that his delegation would vote for the United Kingdom draft resolution but would abstain on paragraphs 5, 8 and 9 of the five-Power draft resolution on the grounds that the decision to use force should be taken by the United Kingdom itself and that the Council should not adopt wider sanctions that the United Nations could not enforce effectively.

457. The Council then proceeded to vote on the United Kingdom draft resolution (S/9676/Rev.1).

Decision: *At the 1534th meeting, on 17 March 1970, the United Kingdom draft resolution was rejected by 5 votes to none, with 10 abstentions (Burundi, Colombia, Finland, Nepal, Poland, Sierra Leone, Spain, Syria, Union of Soviet Socialist Republics and Zambia).*

458. Speaking in explanation of vote, the representative of Sierra Leone, on behalf of the sponsors of the five-Power draft resolution, said that they had abstained from voting on the United Kingdom draft resolution because it did not go far enough. They believed that the United Kingdom could do more but for a mixture of irresolution, sentimentality and a genuine desire to avoid bloodshed and that sanctions could not work, owing to the leakage through South Africa and the Portuguese Territories of Mozambique and Angola. Therefore, they had submitted a broader draft resolution, which incorporated all the United Kingdom proposals.

459. Before the Council proceeded to vote on the five-Power draft resolution, the representative of Spain made a request for separate votes on operative paragraphs 8 and 9, and the representative of Sierra Leone, on behalf of the sponsors, agreed.

460. The representative of the United Kingdom said that his delegation would abstain from voting on individual paragraphs, inasmuch as it could not support the draft resolution as it stood as a whole.

461. The representative of the United States said that his delegation would vote against the draft resolution because, by implication, it called upon the United Kingdom to use force and sought to cut off all communications with Southern Rhodesia, a measure that would cause complete abandonment of the United States citizens in that country, particularly as his Government had decided to close its consulate there. Furthermore, that measure would not be in the interests of the oppressed majority in the country or have any decisive effect on the illegal minority régime there. He continued to feel that a little more effort to find a common ground might have obviated the necessity for his delegation to oppose the draft resolution, a step it took with great reluctance. He hoped the Council would not abandon the search for a common ground.

462. In putting the five-Power draft resolution (S/9696 and Corr.1 and 2) to the vote, the President announced that separate votes would be taken on operative paragraphs 8 and 9.

Decision: *At the 1534th meeting, on 17 March 1970, operative paragraph 8 was rejected by 7 votes to none, with 8 abstentions (China, Colombia, Finland, France, Nicaragua, Spain, United Kingdom of Great Britain and Northern Ireland and the United States of America).*

Operative paragraph 9 was rejected by 7 votes to none, with 8 abstentions (China, Colombia, Finland, France, Nicaragua, Spain, United Kingdom and United States).

The five-Power draft resolution, as modified following the rejection of operative paragraphs 8 and 9, was rejected by 9 votes to 2 (United Kingdom and United States), with 4 abstentions (Colombia, Finland, France, Nicaragua). Accordingly, it was not adopted, owing to the negative votes of two permanent members of the Council.

463. The representative of Finland regretted that the Council had not permitted every opportunity for further consultations, and considered that the Council's decision served only the interests of Salisbury. It created the impression that the policy of sanctions against the illegal régime was losing support. Such an impression was, however, misleading, for there was a basic unity of purpose in the Council on this matter. He hoped that the Council members would make a new effort

to agree on a course of action that would intensify the international pressures on the illegal régime and restore the Council's unity. He therefore formally submitted to the Council the text of a draft resolution (S/9709) that had previously been handed informally to members of the Council and he expressed the hope that it would provide the basis for such an agreement on a course of action.

464. The representative of the United Kingdom said that he regretted the decision to press for a hasty vote that had forced his delegation to use the veto for the first time on an African question. That decision had been deliberate. A bargain had been made by some who well knew that refusal to adjourn would lead not to agreement but to deadlock. Such manoeuvres were contrary to the traditions of the Council. However, his delegation hoped that the Council could still work together and take effective action on the basis of the proposals put forward by the delegation of Finland.

465. The representative of Zambia, speaking on behalf of the OAU Council of Ministers, said that the result of the vote on the five-Power draft resolution had unmasked for the first time the true intentions and policies of the United Kingdom with regard to the Black people of Southern Rhodesia. By using the veto, the United Kingdom had abdicated its responsibility for those people, after claiming all along that their interests were paramount. In fact, the position of the United Kingdom and the United States meant that, henceforth, it would be impossible for the Council to take effective measures to end the rebellion in Southern Rhodesia. However, he expressed gratitude to those delegations that had voted in favour of the five-Power draft resolution.

466. The representative of Burundi denied that a deal had been made beforehand to deadlock the Council. In fact, during informal consultations, his delegation had tried unsuccessfully to ask the United Kingdom delegation to move towards the position of the five-Power draft resolution, which already incorporated the United Kingdom's proposals, and to suggest any improvements. It was during those consultations that the United Kingdom delegation had questioned, on humanitarian grounds, a complete interruption of communications with Southern Rhodesia. However, those humanitarian considerations should not be subordinated to the interest of the 5 million inhabitants there. There had to be sacrifices on the part of every section of the population in the interest of all the people in the country. In conclusion, he demanded that the United Kingdom give a solemn commitment that it would not intervene if the people of Zimbabwe should succeed in overturning the situation to which it had itself failed to find an adequate solution.

467. The representative of the Union of Soviet Socialist Republics denied the charges of departure from the established traditions of the Council made by the delegations of the United Kingdom and the United States concerning the defeat of their procedural motions for adjournment. The majority of the Council had acted wisely in rejecting those proposals which had a concealed purpose to prevent a vote. Two permanent members of the Council had voted against a draft resolution designed to protect human dignity, human rights and the national freedom of the 5 million people of Zimbabwe. They had voted instead to protect two racist régimes in southern Africa and the colonialist régime of Portugal. The occasion would always be a sad page in the history of the United Nations.

468. In exercise of the right of reply, the representative of the United States stated that he found the statement of the representative of the USSR most extraordinary coming from the representative of a country which had exercised the veto over 100 times, the last time to prevent Council action in regard to the invasion of a small country in Central Europe.

469. The representative of the Union of Soviet Socialist Republics stated that the Soviet Union, whenever it had used the veto, had done so exclusively for just causes, namely, to protect the interests of all those oppressed and discriminated against and those whom the Western Powers would not otherwise have permitted to join the United Nations. Without the Soviet veto, the imperialist Powers would not have admitted a number of socialist countries to the United Nations. With regard to the recent use of the veto, to which the representative of the United States had alluded, the veto had in that case also been used for a just cause, namely to prevent the revanchists and imperialists from occupying a friendly socialist country.

470. At the 1535th meeting on 18 March, the representative of Finland introduced the revised text of his delegation's draft resolution (S/9709/Rev.1), agreed upon in consultations with the sponsors of the two other draft resolutions, in an effort to find a formula acceptable to all. He pointed out that, although the draft resolution in its new form might not satisfy the requirements of many members, particularly the African members, it represented what, in the circumstances, was possible to attain agreement upon, and he appealed to the Council to adopt it promptly and unanimously. The text of the revised draft resolution of Finland read as follows:

"The Security Council,

"Reaffirming its resolutions 216 (1965) of 12 November 1965, 217 (1965) of 20 November 1965, 221 (1966) of 9 April 1966, 232 (1966) of 16 December 1966 and 253 (1968) of 29 May 1968,

"Reaffirming that, to the extent not superseded in the present resolution, the measures provided for in resolutions 217 (1965), 232 (1966) and 253 (1968), as well as those initiated by Member States in implementation of those resolutions, shall continue in effect,

"Taking into account the reports of the Committee established in pursuance of Security Council resolution 253 (1968) (S/8954 and S/9252),

"Noting with grave concern:

"(a) That the measures so far taken have failed to bring the rebellion in Southern Rhodesia to an end,

"(b) That some States, contrary to resolutions 232 (1966) and 253 (1968) of the Security Council and to their obligations under Article 25 of the Charter of the United Nations, have failed to prevent trade with the illegal régime of Southern Rhodesia,

"(c) That the Governments of the Republic of South Africa and Portugal have continued to give assistance to the illegal régime of Southern Rhodesia, thus diminishing the effects of the measures decided upon by the Security Council,

"(d) That the situation in Southern Rhodesia continues to deteriorate as a result of the introduction by the illegal régime of new measures, including the purported assumption of republican status, aimed at repressing the African people in violation of Gen-

eral Assembly resolution 1514 (XV) of 14 December 1960,

"Recognizing the legitimacy of the struggle of the people of Southern Rhodesia to secure the enjoyment of their rights as set forth in the Charter and in conformity with the objectives of General Assembly resolution 1514 (XV),

"Reaffirming that the present situation in Southern Rhodesia constitutes a threat to international peace and security,

"Acting under Chapter VII of the Charter of the United Nations,

"1. Condemns the illegal proclamation of republican status of the Territory by the illegal régime in Southern Rhodesia;

"2. Decides that Member States shall refrain from recognizing this illegal régime or from rendering any assistance to it;

"3. Calls upon Member States to take appropriate measures, at the national level, to ensure that any act performed by officials and institutions of the illegal régime in Southern Rhodesia shall not be accorded any recognition, official or otherwise, including judicial notice, by the competent organs of their State;

"4. Reaffirms the primary responsibility of the Government of the United Kingdom for enabling the people of Zimbabwe to exercise their right to self-determination and independence, in accordance with the Charter of the United Nations and in conformity with General Assembly resolution 1514 (XV), and urges that Government to discharge fully its responsibility;

"5. Condemns all measures of political repression, including arrests, detentions, trials and executions, which violate fundamental freedoms and rights of the people of Southern Rhodesia;

"6. Condemns the policies of the Governments of South Africa and Portugal, which continue to have political, economic, military, and other relations with the illegal régime in Southern Rhodesia in violation of the relevant resolutions of the United Nations;

"7. Demands the immediate withdrawal of South African police and armed personnel from the Territory of Southern Rhodesia;

"8. Calls upon Member States to take more stringent measures in order to prevent any circumvention by their nationals, organizations, companies and other institutions of their nationality, of the decisions taken by the Security Council in resolutions 232 (1966) and 253 (1968), all provisions of which shall fully remain in force;

"9. Decides in accordance with Article 41 of the Charter and in furthering the objective of ending the rebellion, that Member States shall:

"(a) Immediately sever all diplomatic, consular, trade, military and other relations that they may have with the illegal régime in Southern Rhodesia and terminate any representation that they may maintain in the Territory;

"(b) Immediately interrupt any existing means of transportation to and from Southern Rhodesia;

"10. Requests the Government of the United Kingdom as the administering Power to rescind or withdraw any existing agreements, on the basis of which foreign consular, trade and other representa-

tion may at present be maintained in or with Southern Rhodesia;

"11. *Requests* Member States to take all possible further action under Article 41 of the Charter to deal with the situation in Southern Rhodesia, not excluding any of the measures provided in that Article;

"12. *Calls upon* Member States to take appropriate action to suspend any membership or associate membership that the illegal régime of Southern Rhodesia has in specialized agencies of the United Nations;

"13. *Urges* Member States of any international or regional organizations to suspend the membership of the illegal régime of Southern Rhodesia from their respective organizations and to refuse any request for membership from that régime;

"14. *Urges* Member States to increase moral and material assistance to the people of Southern Rhodesia in their legitimate struggle to achieve freedom and independence;

"15. *Requests* specialized agencies and other international organizations concerned, in consultation with the Organization of African Unity, to give aid and assistance to refugees from Southern Rhodesia and those who are suffering from oppression by the illegal régime of Southern Rhodesia;

"16. *Requests* Member States, the United Nations, the specialized agencies and other international organizations in the United Nations system to make an urgent effort to increase their assistance to Zambia as a matter of priority with a view to helping it solve such special economic problems as it may be confronted with arising from the carrying out of the decisions of the Security Council in this question;

"17. *Calls upon* Member States, and in particular those with primary responsibility under the Charter for the maintenance of international peace and security, to assist effectively in the implementation of the measures called for by the present resolution;

"18. *Urges*, having regard to the principle stated in Article 2 of the Charter of the United Nations, States not Members of the United Nations to act in accordance with the provisions of the present resolution;

"19. *Calls upon* Member States to report to the Secretary-General by 1 June 1970 on the measures taken to implement the present resolution;

"20. *Requests* the Secretary-General to report to the Security Council on the progress of the implementation of the present resolution, the first report not to be made later than 1 July 1970;

"21. *Decides* that the Committee of the Security Council established by resolution 253 (1968), in accordance with rule 28 of the provisional rules of procedure of the Security Council, shall be entrusted with the responsibility of:

"(a) Examining such reports on the implementation of the present resolution as will be submitted by the Secretary-General;

"(b) Seeking from Member States such further information regarding the effective implementation of the provisions laid down in the present resolution as it may consider necessary for the proper discharge of its duty to report to the Security Council;

"(c) Studying ways and means by which Member States could carry out more effectively the decisions of the Security Council regarding sanctions against the illegal régime of Southern Rhodesia, and making recommendations to the Security Council;

"22. *Requests* the United Kingdom, as the administering Power, to continue to give maximum assistance to the Committee and to provide the Committee with any information which it may receive in order that the measures envisaged in this resolution, as well as resolutions 232 (1966) and 253 (1968), may be rendered fully effective;

"23. *Calls upon* Member States as well as the specialized agencies to supply such information as may be sought by the Committee in pursuance of the present resolution;

"24. *Decides* to maintain this item on its agenda for further action as appropriate in the light of developments."

471. The representative of Finland drew attention to revisions of the text made in the course of consultations since the previous meeting. The first revision related to operative paragraph 2, which had previously read:

"*Decides*, in accordance with Article 41 of the United Nations Charter, that Member States shall refrain from recognizing this illegal régime or from rendering any assistance to it".

The second revision related to operative paragraph 4, which originally had read:

"*Reaffirms* the primary responsibility of the Government of the United Kingdom for enabling the people of Zimbabwe to exercise their right to self-determination and independence".

The third revision related to operative paragraph 6, which previously had read:

"*Condemns* the policies of the Governments of South Africa and Portugal, which continued to have political, economic, military and other relations with the illegal régime in Southern Rhodesia in contravention of the relevant United Nations resolutions".

The fourth revision consisted of the insertion of a new operative paragraph 7.

The fifth revision related to operative paragraph 8, which previously had read:

"*Calls upon* Member States to take, where necessary, more stringent measures in order to prevent any circumvention by their nationals, organizations, companies and other institutions of their nationality, of the decisions taken by the Security Council in resolution 232 (1966) and 253 (1968).

The sixth revision consisted of the insertion of a new operative paragraph 10.

The seventh revision related to operative paragraph 13, which previously had read:

"*Urges* Member States of any international or regional organizations to suspend the membership of the illegal régime of Southern Rhodesia from their respective organizations";

The eighth revision related to operative paragraph 14, which previously had read:

"*Urges* Member States to render moral and material assistance to the people of Southern Rhodesia in their legitimate struggle to achieve freedom and independence".

472. The representative of Finland subsequently drew attention to further corrections of a stylistic nature which were incorporated in the revised text of the draft resolution reproduced above.

473. Speaking in explanation of vote before the vote, the representative of Zambia reiterated his delegation's bitter disappointment over the use of the veto to defeat the five-Power draft resolution, which had been absolutely in keeping with the demands and aspirations of the oppressed people of Zimbabwe. By their action, those two Powers had voted against the principles of equality, justice, democracy and brotherhood and in defence of iniquitous interests. His delegation would vote for the draft resolution before the Council, even though it did not go far enough.

474. The representative of the United States stated that this nation was founded on the principle that all people everywhere were born with equal opportunities; therefore it was opposed to any form of racial discrimination and to any régime that practised it. It would never condone any attempts by a minority racist régime, either in Southern Rhodesia or elsewhere in southern Africa, to impose its will on, or to thwart the aspirations of, the majority. For those reasons the United States had condemned the Southern Rhodesian régime, refused to recognize its purported republican status, closed its consulate and steadfastly supported and implemented the United Nations sanctions against that régime. He quoted from a recent statement to Congress by the President of the United States concerning United States policy towards southern Africa. He pointed out the limits of the powers of the United Nations and the fact that all must recognize that the process of making the rule of law and the right of the majority prevail in Rhodesia would not be a quick one. His delegation would support the new draft before the Council as a whole, although it had reservations about operative paragraph 3 and serious doubts about the possibility of implementing the provisions in operative paragraph 9 (b).

475. The representative of the Union of Soviet Socialist Republics pointed out that, unlike the five-Power draft resolution regrettably vetoed by two permanent members of the Council, the new draft resolution, although it contained several positive provisions, did not provide for any concrete measures against South Africa and Portugal and omitted condemnation of the United Kingdom for its policy on Southern Rhodesia. However, in view of its positive elements and the fact that the delegations of the African countries regarded it as acceptable to them in the existing circumstances, his delegation would support it. He expressed reservations on operative paragraph 16, his submission being that responsibility for redress for the damage suffered by Zambia should not be laid on all States indiscriminately but on those which bore political and economic responsibility for the emergence and accession to power of the racist régime in Southern Rhodesia and which continued to maintain economic, trade and other relations with it and which also continued to maintain economic, trade and other links with South Africa and Portugal, the allies and friends of the Southern Rhodesian régime.

476. The representative of Sierra Leone said that his delegation would vote for the new draft resolution, which, though quite obviously a compromise draft, could go a long way, if adopted and vigorously implemented, towards freeing the captive country of Zimbabwe from the oppression of the racist régime,

and in easing the position of Zambia. He urged the Council to warn South Africa and Portugal not to aggravate an already tense situation in Southern Rhodesia.

477. The representative of Poland said that the debate had shown that a majority of the members were in favour of a Council decision based on the Afro-Asian draft resolution, i.e., on dynamic measures aimed at achieving independence for the Zimbabwe people, while the United Kingdom and the United States had demonstrated their opposition to such a resolution by vetoing it. His delegation had given all its support to the Afro-Asian draft resolution and it assured the representatives of African countries of its resolve to continue supporting the Zimbabwe people's struggle for independence. Poland would support the new draft resolution because, though still inadequate, it was an improvement in that it greatly broadened the common denominator contained in the original United Kingdom draft.

478. The representative of Burundi stressed that, despite the defeat of the Afro-Asian draft resolution, there was no bitterness or ill-feeling in African circles. It had been only a technical defeat from which the sponsors had gained an overwhelming political and moral victory. He appealed to all those that had supported the Afro-Asian draft resolution to lend their support to the text now before the Council, despite its shortcomings.

479. The representative of Spain said that his delegation did not think that the draft resolution before the Council was strong enough to meet the circumstances of the situation. His delegation regarded the United Kingdom as having the exclusive, not just the primary, responsibility for Rhodesia, as stated in operative paragraph 4 of the draft. He pointed out also that the draft resolution condemned certain acts of the illegal régime but that nowhere did it explicitly condemn the régime itself. As regards the Committee on Sanctions, his delegation hoped that the effectiveness of that Committee's recommendation might be broadened if there were some technical changes in its composition, for instance, an expansion of its membership. Because of those considerations his delegation would abstain from voting on the draft resolution.

480. The representative of Syria said that his delegation would reluctantly vote for the new draft resolution for two reasons: first, because, in the circumstances, the Council must at least issue a warning to the illegal régime that its crimes were being watched; second, because the Council had been able to reach agreement on the minimum measures that should be adopted.

Decision: At the 1535th meeting, on 18 March, the draft resolution submitted by Finland was adopted by 14 votes to none, with 1 abstention (Spain), as resolution 277 (1970).

481. The representative of the United Kingdom, in explanation of vote, commented that the provisions of resolution 277 (1970) implied that the humanitarian exceptions in resolution 253 (1968) were to be fully respected; and that, since resolution 253 (1968) had dealt with air transport in detail, the ban on communications with Southern Rhodesia in the present resolution referred to road and rail transport. His delegation still believed that every effort towards a just settlement for all the people of Rhodesia should to the utmost be pursued by peaceful methods. Finally,

he expressed gratification that resolution 277 (1970) incorporated the substance of his delegation's proposals and carried the widest support of the Council.

482. The representative of France said that his delegation, taking account of the views of the administering Power, had voted for the resolution in order to give Africa tangible evidence of the fact that France was well aware of the shocking nature of the maintenance of a régime based on racial discrimination. However, his delegation noted that insurmountable practical difficulties would be involved in extending sanctions to South Africa and Portugal, and that the references to resolution 1514 (XV), the wording of operative paragraph 3 concerning "judicial notice", and the insistence on invoking Chapter VII of the Charter could not be accepted without reservation either.

483. Later, in a letter addressed to the President of the Security Council on 31 March (S/9732) the representative of France further clarified his delegation's affirmative vote on the resolution, saying that it should not be construed as implying that France accepted the view that Article 41 of the Charter authorized the Security Council to decide that Member States should refrain from recognizing as a State a political entity whose status was contested. Nevertheless, he stated that the Government of France had consistently refused to recognize the Salisbury régime since its unilateral declaration of independence and had no intention of changing its position on the matter.

C. Subsequent reports and communications to the Council

484. In communications dated 3 March (S/9677), 9 March (S/9702), 10 March (S/9700), 13 March (S/9705), 14 March (S/9712), 18 March (S/9715), 19 March (S/9717), 20 March (S/9719), 23 March (S/9720), 3 April (S/9735) and 9 April (S/9749), the representatives of Pakistan, the Democratic Republic of the Congo, the Union of Soviet Socialist Republics, Romania, Mongolia, Czechoslovakia, Bulgaria, Israel, Haiti, Iraq and Hungary, respectively, transmitted statements by their Governments or national leaders condemning and refusing to recognize the purported republican status declared by the rebel régime in Southern Rhodesia.

485. In a letter dated 9 March (S/9686) the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples transmitted to the President of the Security Council the text of a consensus on the question of Southern Rhodesia adopted by the Special Committee at its 726th meeting held on that day.

486. In a letter dated 17 March (S/9716), the representative of Belgium informed the Secretary-General that, following the proclamation of the so-called republic of Rhodesia, his Government had decided to break off all consular relations with Southern Rhodesia and to close its Honorary Vice-Consulate at Bulawayo.

487. In a letter dated 26 March (S/9731) addressed to the Secretary-General, the representative of Nigeria rejected a reference to the internal affairs of Nigeria contained in the letter from the representative of Haiti (S/9720).

488. In a letter dated 8 April (S/9742) addressed to the President of the Security Council, the representa-

tive of Israel rejected references to Israel contained in the letter from the representative of Iraq (S/9735).

489. In a note dated 10 April (S/9748), the President of the Security Council announced that, following the expiry of the terms of office of Algeria, Pakistan and Paraguay on the Council, and after consultations concerning the membership of the Committee established in pursuance of Security Council resolution 253 (1968), during which certain suggestions had been made regarding the possibility of enlarging the Committee, the membership of that Committee would, until further notice, continue to be composed of seven members as follows: France, Népal, Nicaragua, Sierra Leone, United Kingdom and United States.

490. In a letter dated 14 April (S/9753), in connexion with Security Council resolution 277 (1970), the Foreign Minister of Portugal informed the Secretary-General that his Government continued to await clarifications as requested in its letters to him dated 27 April 1966 (S/7271) and 3 February 1967 (S/7781, p. 51), regarding certain matters of a juridical and procedural nature pertaining to the earlier resolutions of the Security Council on the question of Southern Rhodesia, from which the recent resolution resulted.

491. In a letter dated 28 April (S/9770), the representative of Botswana informed the Secretary-General, in connexion with paragraph 19 of the Council's resolution 277 (1970) and as he had done in respect of resolutions 232 (1960) and 253 (1968), of the great strains that would be imposed on Botswana's economy if it were to implement that resolution to the letter. In particular, Botswana was currently negotiating a loan from the World Bank for an infrastructure project in mining development, in the course of the execution of which some economic contacts with Southern Rhodesia, especially in the field of transport, would be inevitable. He requested the Council to show understanding again of the actions of Botswana, a land-locked country, which was heavily dependent on its neighbours. For its part, Botswana would continue to implement all the resolutions as far as it could.

D. Further report of the Committee established in pursuance of Security Council resolution 253 (1968)

492. By a letter dated 15 June 1970 (S/9844), addressed to the President of the Security Council, the Chairman of the Committee established in pursuance of Security Council resolution 253 (1968) submitted the Committee's third report, covering its work since the submission of its second report on 12 June 1969. The report said that, during that period, the Committee, in pursuance of the tasks assigned to it by the Security Council, and following the lines indicated in its second report, had (a) examined the reports on the implementation of Security Council resolution 253 (1968) submitted by the Secretary-General; (b) considered the information provided by States Members of the United Nations or of the specialized agencies in response to requests by the Committee made through the Secretary-General (the texts of which were reproduced in the second report) concerning (i) trade of Southern Rhodesia, (ii) Southern Rhodesian tobacco held in bond in various countries, (iii) tobacco exported from Mozambique, (iv) Southern Rhodesian

tobacco exported as Malawi tobacco under forged certificate of origin, (v) television material, (vi) consular and trade representation in Southern Rhodesia, and (vii) airlines operating to and from Southern Rhodesia; (c) considered the detailed trade statistics of Southern Rhodesia for the first half of 1969, together with an analysis thereof prepared by the Secretariat, as well as a note submitted by the United Kingdom containing its assessment of the effects of sanctions on the Southern Rhodesian economy; (d) devoted considerable attention to investigating a number of specific cases of suspected violations of the sanctions decided upon in Security Council resolution 253 (1968), brought to its attention by States; and (e) considered other relevant information received from States concerning actions taken by them on violations of sanctions and other related matters.

493. In view of the great difficulty faced by Governments in determining the true origin of goods suspected to be of Southern Rhodesian origin, the Committee had also considered and approved on 2 September 1969 a memorandum on the application of sanctions (S/9844/Add.2, annex V), subsequently submitted by the Secretary-General, at the request of the Committee, to States Members of the United Nations or members of the specialized agencies, indicating some points which the customs authorities of importing countries might bear in mind during their investigation of the origin of suspected goods.

494. The Committee attached six other annexes (S/9844/Add.1 and Add.2) to its report, including a note prepared by the Secretariat on Southern Rhodesia's trade, together with statistical data, for 1968 and January-June 1969, and a note dated 2 June 1970 by the United Kingdom assessing the effects of sanctions on the economy of Southern Rhodesia since the illegal declaration of independence and the outlook for 1970. Other annexes included information supplied at the Committee's request by States Members of the United Nations or members of specialized agencies concerning stocks of Southern Rhodesian tobacco in bond in their countries; tobacco exported from Mozambique; Southern Rhodesian tobacco exported under false certification of origin; export of television material to Southern Rhodesia; and additional information on the thirteen specific cases of suspected violations of the sanctions reported previously by the Committee, as well as information on sixty new cases brought to the Committee's attention since the submission of its second report.

495. The Committee noted that, since the submission of its last report, the Secretary-General had reported seven additional replies, five of them supplementary replies, from States Members of the United Nations concerning implementation of resolution 253 (1968), thereby leaving thirty-one States, including South Africa, which had not yet replied to any of his communications on the matter.

496. Concerning its consideration of trade of Southern Rhodesia, the Committee stated in its report that it was finding it increasingly difficult to determine precisely the magnitude of that trade, owing to the great disparity between the data transmitted by Member States in pursuance of resolution 253 (1968) and that released by the illegal régime. There was also difficulty in determining the direction of Southern Rhodesian trade inasmuch as was suppressed by the régime. However, based on the information available to it from all sources, the Committee noted that

Southern Rhodesia's export trade in 1968 had remained practically unchanged from its 1967 level, which was 42 per cent below the level of 1965, but that in 1969 it had risen to \$336 million, which was about 70 per cent of the 1965 level. The country's imports, which had amounted to \$290 million in 1968, an increase of slightly more than 10 per cent over 1967 but a decrease of 13 per cent compared with 1965, had fallen to \$278 million in 1969. Only \$4.1 million worth of imports in 1968 and \$25 million during January-June 1969 could be traced through international trade statistics; the balance had been imported from or through neighbouring countries. The Committee pointed out that, quite clearly, much of the trade with Southern Rhodesia was now being reported in the statistics as trade with South Africa and possibly as trade with other neighbouring countries.

497. The Committee reported also that it had taken note of the additional responsibilities entrusted to it by the Security Council resolution 277 (1970), in particular, the responsibility of studying ways and means by which Member States could carry out more effectively the decisions of the Security Council regarding sanctions against the illegal régime of Southern Rhodesia and of making recommendations to the Security Council. In connexion with the methods and procedures to be followed in its future work, the Committee reported that it had decided, to circulate as unrestricted documents individual reports of suspected violations of sanctions, together with the comments of the Governments concerned, and all trade statistics prepared and submitted to it periodically by the Secretariat; to submit to all members of the Council the summary records of its meetings; to issue press *communiqués* whenever necessary; and to report more frequently to the Security Council.

498. According to the report, a number of proposals had been submitted to the Committee by certain delegations for its observation and recommendation to the Security Council. After consideration, some of those proposals had been adopted.

499. Noting that the measures taken by the Security Council with regard to Southern Rhodesia, including the sanctions imposed against it had not been fully effective and had not led to the desired results, the Committee agreed upon a number of observations and recommendations, including a plea that, although the number of suspected cases of sanctions violations brought to its attention had increased considerably since the last report, it was nevertheless highly desirable that more Members of the United Nations should report such cases to the Committee, giving full details and relevant documentation, where appropriate. The Committee also regretted the lack of co-operation on the part of certain countries. In particular, it noted that South Africa and Portugal, in spite of repeated appeals by the Security Council and in defiance of Council resolutions 253 (1968) and 277 (1970), were continuing to trade with Southern Rhodesia, thereby considerably reducing the effectiveness of the sanctions called for by the Security Council in those resolutions. It recommended that the Security Council should again draw the attention of Member States, particularly South Africa and Portugal, to their obligations under Articles 25, 48 and 49 of the Charter. Noting that Southern Rhodesia's products found their markets in many countries other than South Africa and Portugal, the Committee further stressed the need for more co-operation by the main maritime Powers and expressed

its intention to consider whether the Inter-Governmental Maritime Consultative Organization could play a useful role in that regard.

500. Other proposals, submitted by Nepal and the Union of Soviet Socialist Republics, were not agreed upon by the Committee and thus were not incorporated in the report as recommendations; they were, however, included as appendices I and II, together with the summarized discussion on them as contained in the records of the Committee's 34th and 35th meetings (appendix III of the report). Both Nepal and the USSR had proposed a recommendation to the Council on full application of the provisions of Article 41 of the Charter against Southern Rhodesia and extension of the sanctions to cover South Africa and Portugal.

The USSR had further suggested that, in view of the failure so far of the sanctions policy under article 41, the United Kingdom, as the administering Power, should take action by armed force to end the domination of the racist group in Southern Rhodesia. The USSR had also recommended that the Committee should point out the frustration of the sanctions policy as a result of the maintenance of trade and economic relations by Japan, the United Kingdom, the United States and West Germany, as well as certain other countries, with South Africa, noting in that connexion that the exports of those four countries to South Africa for eight months of 1969 alone had increased by a total of \$122.7 million compared with the same period in 1968.

Chapter 6

LETTER OF 15 JULY 1969 FROM THE PERMANENT REPRESENTATIVE OF ZAMBIA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/9331)

A. Request for a meeting of the Security Council

501. In a letter dated 15 July 1969 addressed to the President of the Security Council (S/9331), the representative of Zambia charged the Government of Portugal with calculated violations of the territorial integrity of the Republic of Zambia, specifically, with the bombing, on 30 June, of the village of Lote in eastern Zambia, near the border with Mozambique, which had caused destruction of property and the wounding and killing of two innocent and unarmed civilians. The letter recalled that numerous similar incidents had, on various occasions, been brought to the attention of the Security Council and, in view of Portugal's renewed aggressions, requested an early meeting of the Security Council to consider the situation.

502. The Zambian request for a meeting of the Security Council was supported in a letter dated 18 July 1969 (S/9340) addressed to the President of the Council by the following Member States, which stated that they were acting on behalf of the Organization of African Unity (OAU): Algeria, Cameroon, Central African Republic, Congo (Brazzaville), Congo (Democratic Republic of), Dahomey, Equatorial Guinea, Ethiopia, Gabon, Ghana, Guinea, Kenya, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia, subsequently joined by Burundi, Ivory Coast and Nigeria (S/9340/Add.1-3). The letter charged that previous acts of aggression had been committed by Portugal against other independent African States and that aggression had been committed by Portugal against Zambia because it had complied with the charter of the OAU and, like all African States, had implemented the OAU and United Nations resolutions condemning Portugal for refusing to accord the right of self-determination to the African peoples under Portuguese domination in Angola, Mozambique and Guinea (Bissau). The African States hoped that the Security Council, in accordance with Chapter VII of the Charter of the United Nations, would take the measures necessary to put an end to acts of aggression on the part of Portugal.

Council included the item in its agenda and invited the representative of Portugal, at his request, to participate in the discussion without vote. Subsequently, the Council issued similar invitations to the Ministers for Foreign Affairs of Liberia, Madagascar, Sierra Leone and Tunisia, who wished to participate on behalf of the Heads of States members of the OAU, and to the representatives of the Democratic Republic of the Congo, Gabon, Kenya, Somalia, the United Arab Republic and the United Republic of Tanzania.

504. At the 1486th meeting, the representative of Zambia stated that since his request for a Council meeting a further attack by Portuguese soldiers on Zambian civilians had occurred in the Balovale District, the details of which would be furnished to the Council in due course. Zambia had delayed bringing before the Council the incidents which had taken place between 30 June and 4 July 1969 because it was following a policy of seeking to settle the problem of Portuguese violations of its territory through bilateral negotiations. That policy, however, had achieved no success owing to the lack of co-operation on the part of Portugal.

505. From 18 May 1966 to 30 June 1969 there had been some sixty Portuguese military incursions into Zambia, thirty-five of them by land and twenty-five by air, the representative of Zambia stated, and cited letters from his Government bringing such violations to the Council's attention. An instance of Zambian reliance on the policy of bilateral negotiations had occurred in June 1968. Between 7 and 14 June of that year a high-powered Portuguese delegation visited Zambia to see for itself what damage had been done by Portuguese soldiers to some Zambian villages in Kalabo District, bordering on Angola. The Portuguese delegation had accepted full responsibility for what had happened, indicating that it would recommend that Portugal pay a fair and reasonable compensation for the damage and also promising that Portugal would take appropriate measures to ensure that there would be no repetition of the attacks on or violations of Zambian territory. The Zambian Government had reassured the Portuguese delegation that it would continue to take appropriate measures to ensure that Zambian territory would not be used as a base for active hostility to Portuguese territory. Both sides had agreed that it was in the interests of the two countries to promote peace and to work towards mutual co-

B. Consideration at the 1486th to 1491st meetings (18-28 July 1969)

503. At its 1486th meeting on 18 July the Security

operation within permissible limits. Unfortunately, that hope had not been realized. In the course of its colonial war in Angola and Mozambique, Portugal had overstepped its boundaries and had continued to attack the people of Zambia, while denying in many instances that its troops were involved in such incidents.

506. The representative of Zambia then recapitulated a number of instances of alleged attacks by Portuguese armed forces, as well as technical data relating to fragments of bombs, mines, grenades etc. discovered by Zambian authorities at the scenes of the incidents, to indicate the direct involvement of Portuguese armed forces in the incidents complained of by Zambia. Furthermore, in those violations of Zambian sovereignty there was sufficient evidence to indicate to Portugal's friends, especially the members of NATO, that such arms as they made available to Portugal were being used not for the defence of Portugal or for the member countries of NATO but for the oppression of the peoples of Mozambique and Angola and for launching attacks against Zambia. Zambian efforts to deal with the incidents through bilateral negotiations had been met with arrogance and total lack of co-operation by Portugal. Zambian charges had been dismissed on the ground that the areas in question were Portuguese territory. That was manifestly untrue, particularly in the case of the bombing of Lote, because it was Portuguese policy to remove forcibly all inhabitants from the Mozambique side of the border, leaving that side clear of villages.

507. The representative of Zambia warned Portugal that, in accordance with Article XI, Chapter VII, of the United Nations Charter, his country reserved its inherent right to take action in self-defence. He asked the Security Council to call upon Portugal to cease its continuous, unprovoked and premeditated aggression against unarmed Zambian citizens, to hand back Zambian nationals kidnapped by Portuguese soldiers in Angola and Mozambique and to make amends for the destruction of Zambian homes and property.

508. The representative of Portugal stated that the Zambian charges regarding the incident of 30 June were without foundation. His delegation considered it strange that the Zambian Government had bypassed the bilateral talks that had been pursued by agreement between the two Governments and had come instead to the Security Council. It was even more difficult to understand why the representative of Zambia had produced a list of incidents which took place in 1966, inasmuch as all past incidents had been considered to have been settled as a result of bilateral talks between the two Governments.

509. Until 1966, he continued, there had been no incidents on the frontier between Zambia and the contiguous Portuguese territories. In that year, Zambia had decided to open its territory to hostile activities against Angola and Mozambique; it had authorized the establishment on its territory of training and supply bases for armed attacks on the adjoining Portuguese territories. It was therefore the Zambian Government that had embarked on a policy of gratuitous hostility to Portugal. Portugal had given strict instructions to its own security forces to respect Zambia's territorial integrity and sovereignty, but it could not allow its security forces to be harassed by hostile elements across the border without reacting in self-defence. Failure of Portuguese security forces to react would amount to relinquishing control of a strip of Portuguese territory to the attackers, a situation no country could allow to

develop. He said that he could cite many violations of Portuguese territory by Zambian armed forces, particularly the air force. However, his Government had tried to deal with all such frontier problems through bilateral talks. With respect to the specific incidents referred to in the Zambian letter to the Security Council, the representative of Portugal stated that, as soon as the Zambian allegation became known to his Government, it had directed its Ambassador in London to contact the Zambian High Commissioner in that city, in accordance with the procedure adopted by the two Governments for bilateral talks. The Portuguese Government had given its version of the incident, but the Zambian Government had not replied. He went on to say that a mixed Luso-Zambian commission existed to investigate, on the spot, all allegations made by either side, and he proposed to the Zambian delegation that the Commission be asked to investigate the allegation then before the Council. Finally, the Portuguese representative referred to the case of two Portuguese military men who had been arrested after leaving their arms behind and crossing the frontier at the invitation of the Zambian authorities and were still detained, although the Zambian High Court had ordered their release. He suggested that that case was the reason for Zambia's complaint to the Council and asked the Council to call on Zambia to release the men.

510. The representative of Algeria stated that Portugal, unable to bring to its knees a disarmed, defenceless people, was trying to expand the nature and area of the conflict through a policy of "fleeing forward", which consisted in bombing so-called guerrilla bases in the neighbouring country of Zambia while trying to demonstrate that the bombings in question were limited to an area within frontiers coming under Portuguese jurisdiction. He said that, geographically, Zambia was currently the only independent country in southern Africa and was thus the only country refusing to submit to the régime advocating *apartheid*; consequently, it had become a major obstacle to the rear-guard action undertaken by the Salisbury-Pretoria-Lisbon alliance. It was the Council's duty to condemn the acts of repeated aggression committed by Portugal against Zambia, as well as Portugal's entire colonial policy. Zambia should be enabled to defend the integrity of its territory and its political independence.

511. The representative of Zambia, exercising his right of reply, said there was no permanent Zambian-Portuguese joint commission for investigating border incidents, although committees from both sides had met from time to time on an *ad hoc* basis. Zambia, he said, had used this method in the past, but no sooner had an agreement been reached than the Portuguese attacked another Zambian village. The representative of Portugal, he declared, had also complained about the activities of the Angolan and Mozambican nationals inside Mozambique or inside Angola: his Government could not accept responsibility for those activities; that was the responsibility of the Government of Portugal, as it was the duty of every Government to control the activities of its own citizens.

512. In exercise of his right of reply, the representative of Portugal said that his Government did not refer to the activities of the people of Angola and Mozambique in their respective territories but to violations of Portuguese sovereignty committed by the armed men to whom, he stated, Zambia gave protection to attack the Portuguese Territories of Angola and Mozambique. He reiterated his contention that the

responsibility for all occurrences along the frontier rested squarely with the Zambian Government.

513. At the 1487th meeting, on 22 July 1969, the representative of Hungary declared that in giving shelter to the refugees of Angola and Mozambique, the victims of the Portuguese colonizers, all that Zambia had done was to abide by the relevant resolutions of the United Nations. The indigenous population of those Territories was fighting against Portuguese colonialist invaders. Portugal should abide by the norms of valid contemporary international law and recognize the right of those people to self-determination. He stated that without the military and economic support of its NATO partners, as well as its "unholy alliance" with the Republic of South Africa and Southern Rhodesia, Portugal would not be capable of resisting the national liberation movements.

514. The representative of Somalia saw the Zambian complaint as evidence of a wider pattern of aggressive acts by Portuguese colonial authorities against African States bordering on Angola, Mozambique and so-called Portuguese Guinea. He recalled that during the period from 1961 to 1966 there had been complaints to the Security Council against Portugal by Senegal, Guinea, Congo (Brazzaville), Zambia, the United Republic of Tanzania, and the Democratic Republic of the Congo related to violations of their air space and territory, to the bombing of frontier villages by Portuguese aircraft, the mining of roadways by Portuguese troops and armed incursions and assaults against their territory by Portuguese troops. The chief reason for the complaints, he said, was the refusal of the Portuguese authorities to transfer political power and sovereignty to the local African population, as some former colonial Powers in the region had done. Portuguese repressive policies after the Angolan revolt had created enormous refugee problems. The international aspect of the problem was further aggravated by the Portuguese alliance with the racist régimes of South Africa and Southern Rhodesia. He maintained that the Security Council should take cognizance of the fact that the situation in Africa caused by the presence of Portuguese colonialism required a comprehensive examination by the Council.

515. The representative of the United Republic of Tanzania observed that the oppressed people of Angola, Mozambique and Guinea (Bissau) had been particularly encouraged by the outstanding accomplishments of those countries in Africa that had achieved independence; Portugal's aggression against Zambia should therefore be seen in the context of the developments in the whole of Africa. The Security Council, in the past, had dealt with complaints of Portuguese provocative actions and violations of the sovereignty and territorial integrity of several African States, including Tanzania, but Portugal had ignored the Council's warnings. Portugal knew that whatever happened in Zambia or Tanzania was bound to influence events in Angola and Mozambique; it therefore regarded a united, peaceful and prosperous Zambia as a threat to the forces of exploitation in those Territories. He called on the Security Council to direct a serious warning to the Portuguese Government to stop its acts of vandalism and aggression against Zambia and the African people.

516. At the 1488th meeting, on 23 July 1969, the representative of the Union of Soviet Socialist Republics, pointing out that the Security Council was not examining the question of armed incursions by Portugal against a newly independent African State for the first time, said that Portugal's armed incursions were creat-

ing a danger to peace and security in the area. Portugal and the racist régimes of Rhodesia and South Africa, in resorting to armed provocations against the independent African States, were trying to intimidate them and thus deter them from assisting the national liberation movements. It was the duty of all freedom-loving States to support the national liberation movements in the colonial Territories. The Soviet delegation, he declared, supported the just demands of Zambia, calling for a strong condemnation by the Security Council of the aggressive acts of the Portuguese colonialists against that African country, an immediate cessation of Portuguese violations of Zambian territory, the immediate liberation and repatriation of Zambian civilians detained by Portuguese troops and the return of all property illegally seized on Zambian territory by the Portuguese military authorities. The Security Council should warn Portugal, he concluded, that if these demands were ignored, it would take further measures in accordance with the Charter of the United Nations.

517. The representative of Portugal, referring to the specific charges brought to the Council by Zambia, stated that between 30 June and 3 July, Portuguese security forces, having been attacked by armed raiders coming from Zambia, had mounted a clean-up operation in a locality situated well within Portuguese territory and a good distance away from the Zambian border: the attacking raiders had fled back into Zambia and might possibly have gone to Lote village. No incident had occurred at Balovale or in its vicinity, as charged by Zambia, although on 23 June there had been an encounter in that area inside Portuguese territory between Portuguese security forces and raiders infiltrating from Zambia, who had fled back across the frontier. Either the Zambian Government could not, or did not wish, to control its frontiers, but in any case, it could not evade responsibility for attacks made from its territory on Portuguese territory. In conclusion, the representative of Portugal denied allegations that Portugal was using NATO arms in Africa.

518. The representative of Kenya, supporting the statement of the representative of Zambia, considered that inasmuch as Portuguese raids on Zambian territory had continued since 1966 despite bilateral talks, Zambia was surely justified in bringing the matter to the Council's attention and had shown patience in not doing so before. All Africa abhorred the presence of Portugal as a colonizing Power in Africa. The least the Council could do was to condemn Portugal's premeditated and unprovoked aggression against Zambia.

519. The representative of Nepal expressed the view that bilateral negotiations constituted the best means of settling differences between States but considered that evidence submitted to the Security Council indicated that Zambia had exhausted all possible means of bilateral negotiations with Portugal before seeking the protection of the Council against the threat to its territorial integrity. Further, there had been many justifiable complaints by African States, which had suffered loss of life and property as a result of extremely hostile Portuguese activities; it would appear that Portugal had adopted a policy of all-out hostilities against every African State whose territory adjoined Angola, Mozambique and Guinea (Bissau). The third reason for Nepal's sympathy with Zambia's complaint was because Portugal's infringements of African territories were a result of its attempt to perpetuate its domination over its colonial Territories in Africa. The alliance of Lisbon, Salisbury and Pretoria, based on

the concept of colonialism, racialism and discrimination, portended a risk of racial war and bloodshed in Africa.

520. The representative of Pakistan stated that the Security Council had to consider the Zambian complaint and the Portuguese reply in the context of the situation caused in that region by the persistence of colonialism, with racial segregation and minority rule. It was not just a case of border incidents between two neighbouring States, because (a) the African Territories under Portuguese administration were not the territory of Portugal but Non-Self-Governing Territories within the meaning of Chapter XI of the Charter; (b) the Declaration on the Granting of Independence to Colonial Countries and Peoples was fully applicable to those Territories; (c) Portugal's refusal to recognize the legitimate aspirations of the peoples of those Territories for self-determination, upheld by the Assembly, was a permanent source of international friction; and (d) Portugal's "colonial war" had been condemned in successive General Assembly resolutions, and the Security Council had endorsed the view taken by the General Assembly. Both the Assembly and Council, in many resolutions, had also recognized the legitimacy of the national liberation movements in all colonial Territories and had invited all States to provide them with moral and material assistance. Pakistan, he said, could not subscribe to the view that the spontaneous help and sympathy rendered to a resistance movement should expose the country granting that assistance to the penalty of reprisals. He was of the opinion that much of the argument put forward by the representative of Portugal, when analysed, rested on nothing but the so-called right of pursuit under the guise of self-defence. The Council, he said, could not but refuse to countenance the claim to any such right.

521. The representative of Finland said that the incidents complained of could not be viewed in isolation but were symptoms of the underlying serious tension in the area, the main cause of which was the refusal of Portugal to act in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples despite repeated requests to do so by the Security Council and the General Assembly. Chapter XI of the Charter and the Declaration based upon it stood for peaceful change from colonial rule to self-determination. The substance of the resolutions approved consisted in a request to the Government of Portugal to co-operate with the United Nations in that peaceful endeavour. It would be tragic indeed, if by its persistent refusal to take into account not only the pertinent resolutions of the General Assembly and the Security Council but also the present realities in the African Territories under Portuguese administration, the Government of Portugal were to create a situation where one day a peaceful solution would no longer be possible. As regards the particular complaint of Zambia, no doubt the parties had an obligation to settle disputes of that kind, in the first instance, by means envisaged in Article 33 of the Charter; if, however, efforts to resort to that procedure failed, every State was within its rights in bringing its complaints to the Security Council in order to find an adequate remedy.

522. The representative of France said that the Council should note with satisfaction that many of the incidents mentioned had been settled by bilateral negotiations and that both parties had made precise commitments in June 1968 to assure peace on their common frontiers. The incidents reported by both sides

were only elements in the disturbed situation prevailing in southern Africa that could not be improved in any durable fashion until all the people in that region were allowed to exercise their right to self-determination. The Security Council's immediate duty was to encourage and assist the two parties to maintain peace along their frontiers, and his delegation would support any constructive proposals towards that end. He said that he was authorized to inform the Council that his Government had informed the Portuguese Government the previous year that unless Portugal undertook to take all the necessary measures to see that war material furnished by France would not be used against an African State friendly to France, the French Government would be obliged to discontinue the export of such material to Portugal; satisfactory assurances to that effect had been given by the Government of Portugal.

523. The representative of the United Arab Republic stated that Zambia had furnished the Council with conclusive evidence in support of its complaint establishing the responsibility of Portugal for the violation of its territory and other aggressive acts committed against it. His country's support of Zambia was based not only on its obligations under the charter of the Organization of African Unity but on the principles of the United Nations Charter in favour of the independence and territorial integrity of States and the inherent rights of people to self-determination and against aggression in all its forms. Portuguese aggression against Zambia and other African States had to be viewed in the context of Portuguese repressive policy and colonialist patterns. It appeared to be Portugal's view that those States against which its aggression had been directed were committing the unforgivable sin of supporting the African peoples who were still denied the inherent right of self-determination and were struggling for the recognized right to national independence. The Council should condemn Portuguese aggression and take effective measures against its recurrence. Portugal was in duty bound to implement United Nations resolutions on the granting of independence to colonial countries and peoples.

524. At the 1489th meeting, on 24 July 1969, the representative of Gabon rejected the assertion that Angola, Mozambique and Guinea (Bissau) were Portuguese territory. Not only was Portugal trying to occupy these Territories against the will of the local populations; it was deliberately attacking sovereign and independent African States. It was time the Portuguese Government understood once and for all that its insane policy of colonizing Africa by force could end only in failure. The Council should be firm and invite Portugal to halt its aggression immediately and to grant Zambia adequate compensation for the damage caused by the attacks of Portuguese armed forces.

525. The representative of Madagascar said that small countries such as the members of the OAU expected that in international relations principles accepted in good faith would be applied impartially. Zambia, which had no territorial claims, did not threaten the security of Angola and Mozambique and could not be held responsible for the internal security of those Territories. Liberation movements in the Portuguese Territories did not depend on outside influence and would continue as long as Portugal refused to grant to the people of those Territories self-determination as defined in General Assembly resolution 1514 (XV). Zambia had stated that the negotiations conducted had

failed to settle its dispute; because the deterioration of the situation could threaten peace and security in the region it was for the Council to suggest measures, as provided in the Charter. The representative of Madagascar appealed to the great Powers to give effect to previous Council resolutions requesting States to refrain from giving assistance to the Portuguese Government that would enable it to continue to repress the people of the Territories under its administration.

526. The representative of Liberia declared that the existing situation had been brought about by Portugal's refusal to abide by United Nations decisions, in which it had been abetted by other Members. Portugal's claim to African Territories had no legal basis. The countries of Africa were united and were resolved to use all efforts to stop the uncivilized and inhumane policy of Portugal, which was backed by the weapons of NATO and the gold of South Africa. There was no doubt that Zambia was the victim of Portuguese aggression.

527. The representative of Tunisia stated that, in considering the complaint by Zambia against Portugal, the Security Council was once again facing the problem of a colonial war spilling over onto the territories of adjacent independent States. The General Assembly had proclaimed on several occasions the inalienable right of the people under Portuguese domination to self-determination, freedom and independence. The case under consideration only confirmed that the deterioration of the situation in the Territories constituted a direct threat to international peace and security. It was clear that Zambia, after exhausting every other means, had reached the end of its patience and had no choice but to have recourse to the Council; the representative of Portugal, in emphasizing the bilateral negotiations, had simply shown the goodwill of Zambia. Portuguese colonialism, he said, was coming to an end, as was borne out by the reference of the representative of Portugal to the many acts of sabotage by the liberation forces. There was a danger of a Portuguese panic attack against other African countries leading to a racial war. The Security Council must take the necessary steps to prevent such a development. There could be no true peace as long as Portugal continued to keep African peoples under subjugation. To advocate that the two parties return to bilateral negotiations would be to punish the Zambian Government for its goodwill. The Security Council should condemn the recent aggressive action by Portugal against the village of Lote, as well as all the other violations which preceded it, and should ask Portugal very firmly to refrain from committing new violations against the territorial integrity of Zambia and other adjacent States.

528. The representative of Sierra Leone said that attacks of the type complained of by Zambia on the part of Portugal against African States bordering its territories were not new. Zambia in giving shelter to Africans struggling for self-determination and human respect was merely implementing the Assembly's resolutions. It had shown its readiness to be on good terms with Portugal but, despite its goodwill, it had had to bring the matter to the Security Council because of Portugal's lack of good faith. It was natural for Zambia to reach the conclusion that bilateral negotiations and other means towards a pacific settlement of disputes detailed in Article 33 of the United Nations Charter were a sheer waste of time when dealing with a determined and resolute enemy of Africa such as Portugal. His delegation considered that as long as part of Africa remained enslaved the rest stood the risk of losing its

freedom. Moreover, Portugal's aggressive actions against Zambia constituted a serious threat to peace. Therefore his delegation supported Zambia and asked the Council to take measures to see that just compensation was made to Zambia for the damages it had sustained.

529. The representative of Paraguay said that generally a debate on a complaint such as that before the Council was limited to the complaint itself and to the details related to it, but in the case at hand the various aspects of the matter went much further than the immediate subject of the complaint. The region concerned was a critical one on the African continent; a struggle for self-determination was under way there. Serious incidents became more serious when peace and security were already threatened. As stated by his delegation in past Security Council proceedings, the parties concerned should find a peaceful settlement, utilizing the means provided for that purpose in the United Nations Charter. Nevertheless, it must be borne in mind that every new incident might well aggravate a situation already very tense in southern Africa. Paraguay was in favour of ensuring full respect for the territorial integrity and sovereignty of all States and for the norms of international relations. His delegation would seek with other delegations mutually acceptable solutions on the basis of those principles.

530. The representative of Zambia in exercise of his right of reply, stated that his Government had brought the Lote incident to the Security Council, because, in spite of Zambian restraint, for four years Portugal had been violating Zambian territorial integrity and killing and wounding Zambian citizens. Zambia, he said, had invited representatives of the Portuguese Government to visit Zambia in connexion with three series of incidents to see for themselves the results of Portuguese aggression; despite all available evidence, those representatives had accepted responsibility in respect of only one incident; for although they had admitted that their armed forces were responsible for the other two as well, they had claimed that the attack had been made in exercise of the so-called right of pursuit. As a result of that unreasonable rejection, he continued, Zambia had come to the conclusion that pacific settlement had no meaning for Portugal. Zambia's own desire for peace had been clearly demonstrated by the restraint it had shown during the past four years. It might also be recalled that it was in Lusaka, capital of Zambia, that the Fifth Summit Conference of East and Central African States adopted the Manifesto on Southern Africa in which they had urged that independence in southern Africa should be achieved through peaceful means. His delegation was submitting a copy of that Manifesto for circulation as a Security Council document.⁶

531. At the 1490th meeting, on 25 July 1969, the representative of Colombia suggested that, with respect to the specific item under consideration, an examination of the situation by the parties so as to achieve a just solution could not be ruled out and that such a procedure could still be the object of the Council's attention.

532. The representative of the Democratic Republic of the Congo referred to previous occasions when his Government had had to lodge complaints against Portugal similar to that made by Zambia. Consequently, his delegation was not surprised by Portugal's acts

⁶ The text of the Manifesto as transmitted to the President of the Security Council by the representative of Zambia on 28 July 1969 was circulated as document S/9363.

and denials. He had just received a cable from Kinshasa attesting to the bad faith of Portugal, and he listed eight alleged Portuguese violations of the Territory of the Democratic Republic of the Congo since April 1968, resulting in serious losses of life and property. Angola, Mozambique and Guinea (Bissau) were not Portuguese provinces, as far as the United Nations was concerned, but Non-Self-Governing Territories to which resolution 1514 (XV) was applicable. Portugal had ignored United Nations resolutions; its record of violations of General Assembly and Security Council resolutions was sufficient evidence of its bad faith, and therefore the Council should condemn Portugal.

533. In exercise of his right of reply, the representative of Portugal stated that the Zambian representative had distorted the meaning of many of his previous statements. He maintained that contrary to Zambian allegations, mines had been planted in Portuguese territory to make the terrain difficult for raiders infiltrating from Zambia, not to prevent the escape or return of displaced persons. The representative of Zambia, he continued, had referred to kidnapped Zambians as an alibi for infiltrating raiders and had tried to make it a bargaining point for the return of two Portuguese military persons detained in Zambia. There were no Zambians detained on any Portuguese territory and, even if there were, the return of the two Portuguese in question should be a point of honour for the Zambian Government, inasmuch as the Zambian High Court itself had ordered their release.

534. In reply, the representative of Zambia said that the Portuguese soldiers who had been released by the Zambian High Court had been detained by the President under the Preservation of Public Security Regulations. If Portugal was prepared to release Zambian nationals who had been kidnapped, Zambia would make immediate arrangements to release the Portuguese soldiers.

535. At the 1491st meeting, on 28 July 1969, the representative of Pakistan recalled that in resolutions 180 (1963) and 218 (1965), the Security Council had determined that the situation in the Territories under Portuguese administration was seriously disturbing the peace and security in Africa. In view of that and Portugal's persistence in its total disregard of all the resolutions of the Security Council and General Assembly, it was evident that the situation called for a more categorical resolution. The draft resolution, which he formally introduced on behalf of his own delegation and those of Algeria, Nepal and Senegal (S/9360), was not, he declared, inspired by animus against Portugal but by grave concern at the situation on the Zambia-Mozambique border. The text of the draft resolution read as follows:

"The Security Council,

"Having heard the statements by the parties,

"Mindful of its responsibility to take effective collective measures for the prevention and removal of threats to international peace and security,

"Bearing in mind that all States should refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any manner inconsistent with the purposes of the United Nations,

"Concerned about the grave situation created by the Portuguese bombing of Lote village in the Katete District of the eastern province of Zambia bordering the Territory of Mozambique,

"Gravely concerned that incidents of this nature endanger international peace and security,

"1. Strongly censures the Portuguese attacks on Lote village in the Katete District of the eastern province of Zambia resulting in the loss of Zambian civilian life and property;

"2. Calls upon Portugal to desist forthwith from violating the territorial integrity of, and from carrying out unprovoked raids against, Zambia;

"3. Demands the immediate release and repatriation of all civilians from Zambia kidnapped by Portuguese military forces operating in the colonial Territories of Angola and Mozambique;

"4. Further demands from Portugal the return of all property unlawfully taken by Portuguese military forces from Zambian Territory;

"5. Declares that in the event of failure on the part of Portugal to comply with paragraph 2 of the present resolution, the Security Council will meet to consider further measures;

"6. Decides to remain seized of the matter."

536. The representative of the United Kingdom said that Portuguese colonial policy was certainly an important part of the background of the current Security Council debate and that his Government had repeatedly made clear that it regretted the fact that Portugal continued to deny the basic right of self-determination to its African Territories. He stated that Portugal had admitted that there had been incidents in the past in which the fault lay on the Portuguese side; it was regrettable that there had been such incidents, he declared, and adequate measures should be taken to prevent any recurrence. With respect to the specific complaints by Zambia of Portuguese violations of its territorial integrity, in particular the bombings of the village of Lote, the incidents had been neither proven nor disproven, and only a proper investigation should establish the facts. His delegation did not believe that without a joint or impartial investigation the Council should proceed to assessments or findings, and therefore it could not support the draft resolution contained in document S/9360. Its abstention did not imply condonation of any infringement of Zambian Territory. Article 33 of the United Nations Charter, he said, listed a wide range of means by which peaceful solutions could be sought; he expressed the hope that now that the Council was seized of the question and that Portugal had given new assurances there would be greater confidence in the search for peaceful solutions.

537. The representative of Spain declared that with respect to the specific complaint of Zambia against Portugal, it was the view of his delegation that the facts had not been sufficiently substantiated. There was a fluid situation which must be investigated further before a decision could be taken. He believed that in the Charter of the United Nations and the experience of the parties there was a basis for a solution and that using the initial goodwill of the parties, a mutually acceptable solution could be found. Since his delegation had not been able to resolve the conflict of evidence presented to the Council, it could not support the four-Power draft resolution.

538. The President, speaking as the representative of Senegal, declared that the acts complained of by Zambia against Portugal, as well as acts against the territorial integrity of his country and other countries in the area, were the result of the obstinate refusal of Portugal to heed the example of former colonial Powers

and to change the former relationship of colonizers and colonized peoples to a new relationship based on friendship and co-operation.

Decision: At the 1491st meeting, on 28 July 1969, the draft resolution was adopted by 11 votes to none, with 4 abstentions (France, Spain, United Kingdom and United States), as resolution 268 (1969).

539. After the vote, the representative of the United States said that his Government would have been more prepared to take a position on the merits of the case if the Council had been in possession of some impartial account of the recent developments along the borders between Zambia and Mozambique and Angola. The resolution adopted by the Council appeared to make a specific finding against Portugal, he declared, which his delegation was unable to support under the circumstances described. Its position on the resolution, however, did not have anything to do with its attitude on

the more fundamental question of self-determination for the Portuguese Territories.

540. The representative of Finland, referring to the statement he had made earlier on the question, stated that his delegation had voted for the resolution in the context of the general situation, despite certain reservations about some of its formulations; it was his delegation's view that the Security Council had considered the complaint presented by Zambia against Portugal within the purview of Chapter VI of the United Nations Charter rather than within the context of Chapter VII, to which the formulation of the second paragraph of the preamble and paragraph 5 seemed to relate.

541. The representative of Portugal said that the resolution just adopted had no relation to reality; his delegation wished to put on record its formal reservations in regard to it.

Chapter 7

COMPLAINTS BY SENEGAL: LETTERS DATED 27 NOVEMBER AND 7 DECEMBER 1969 FROM THE PERMANENT REPRESENTATIVE OF SENEGAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/9513 AND S/9541)

A. Communications and request for a meeting

542. In a letter dated 27 November 1969 (S/9513) addressed to the President of the Security Council, the representative of Senegal complained that on 25 November 1969, regular Portuguese armed forces situated at Bégène in Guinea (Bissau) had shelled the village of Saminé in southern Senegal, killing one woman and seriously wounding eight other persons, causing damage to property and rendering several villagers homeless. It was not the first time, the letter declared, that Portuguese forces had attacked Senegal nationals and deliberately violated Senegalese territory. In view of the growing loss of human life and destruction of property, Senegal was obliged to denounce Portugal's systematic acts of provocation and to request that a meeting of the Council be convened as soon as possible to consider the question.

543. On 2 December 1969, representatives of thirty-six African States, in a letter addressed to the President of the Security Council (S/9524 and Add.1), supported Senegal's request, stating that, in doing so, they were demonstrating their solidarity with their sister State of Senegal in conformity with the provisions of the charter of the Organization of African Unity (OAU) and were also expressing Africa's concern at the threats and acts of aggression constantly committed by Portugal against the African States bordering on the Territories under Portuguese domination. The African States hoped that the Security Council would be able to deal with the situation and, acting in accordance with Chapter VII of the United Nations Charter, would take the necessary measures to put an end to those acts of aggression on the part of Portugal.

B. Consideration at the 1516th to 1520th meetings (4-9 December 1969)

544. At its 1516th meeting on 4 December 1969, the Security Council included the item in its agenda and, at their request, invited the representatives of

Portugal, Senegal and Morocco to participate in the discussion without the right to vote. Subsequently, the Council issued similar invitations to the representatives of Guinea, Liberia, Madagascar, Mali, Mauritania, Saudi Arabia, Sierra Leone, Syria, Tunisia, United Arab Republic and Yemen.

545. At that meeting, the representative of Senegal described in detail the incident cited in his letter of 27 November and went on to complain about numerous provocative violations of Senegal's sovereignty and territorial integrity committed by Portuguese forces between 8 April 1963 and November 1969, during which period, he recalled, the Security Council had adopted resolutions 178 (1963), of 24 April 1963, and 204 (1965), of 19 May 1965, both deploring such activities. Notwithstanding those resolutions, Portugal had, in fact, intensified its acts of aggression and between January and November 1969, he charged, the incidents had become more frequent and more serious, as Portuguese forces violated Senegalese air space and fired on Senegalese villages every month, killing, wounding and kidnapping villagers. Portugal's policy of systematic provocations and violations of the territorial integrity of African countries, the representative of Senegal continued, was supported by its allies, particularly South Africa. If Portugal were to continue that policy, then Senegal would have no other choice than to resort to force in order to impose respect of its territorial sovereignty and integrity. However, Senegal was convinced that the Security Council would condemn effectively the Portuguese authorities and their acts of aggression.

546. The representative of Algeria referred to the letter from the thirty-six African delegations supporting Senegal's complaint and charged that Portugal had committed similar acts of aggression against the Congo (Brazzaville), the Democratic Republic of the Congo, Guinea, Tanzania and Zambia. Senegal, he said, had been attacked because it had complied with the Charter of the Organization of African States, and because, like all African States, it had implemented the OAU and United Nations resolutions condemning Portugal

for refusing to accord the right of self-determination to the African peoples under Portuguese domination in Angola, Mozambique and Guinea (Bissau). It was well known to all African countries that Portugal persisted in its policy of aggression because it counted on NATO for weapons and logistic support. Indeed, it had formed an alliance with South Africa and Southern Rhodesia in an attempt to consolidate their colonialist-racist régimes. Algeria believed that there was no other path for the liberation of the African people under Portuguese domination than armed struggle, as had been the case in the liberation of certain countries in Asia and Europe and of Algeria itself. The Security Council should unequivocally condemn Portugal for its acts of aggression against Senegal and other independent African States.

547. Before making his statement, the representative of Portugal asked three questions of the representative of Senegal in order to clarify certain basic facts: (1) whether anti-Portuguese organizations dedicated to violence had not been allowed to operate from bases in Senegal; (2) whether the village of Saminé was not one such base; and (3) whether Senegal had contacted Portugal on its complaint before notifying the Security Council.

548. In reply, the representative of Senegal stated that there were in Senegal approximately 50,000 refugees from Guinea (Bissau) under regular supervision of the Office of the United Nations High Commissioner for Refugees. As to the second question, he suggested that the necessary conclusion be drawn from the list of casualties at Saminé, which included persons from seventy years down to one year of age. As to the third question, Senegal had no need to contact the Portuguese Government; it had addressed itself to the Security Council and was awaiting the decision of that body.

549. The representative of Portugal explained that the significance of his questions, which he said had not been answered, was to ascertain whether in the case at issue the Portuguese forces had attacked or reacted in self-defence. The attacks, he declared, had in every case, come from Senegal; Portugal had limited itself to actions strictly in conformity with the needs of self-defence. It was a matter of common knowledge that anti-Portuguese forces operated from bases in Senegal, of which Saminé was one. For several years now, the population living in the frontier areas of Portuguese Guinea were constantly harassed by armed bands coming from Senegal. Furthermore, those armed bands were equipped with sophisticated weapons which could come only from the arsenals of Powers outside Africa whose avowed policy was to feed the fires of international strife. The Security Council, he added, must take into account that aspect of the problem because it threw a new and sinister light on the entire pattern of hostile acts directed against Portuguese Guinea. In 1969 alone, he asserted, there had been thirty attacks with heavy Senegalese artillery fire against Portuguese Guinea; twenty-five further attacks mounted by raiders from Senegal; ten violations of Portuguese Guinea's air space by Senegalese helicopters supporting infiltrating raiders, and eight other violations of air space by Senegalese planes apparently flying reconnaissance missions. In the face of those attacks, no one could contest Portugal's right of self-defence, which it exercised to the indispensable minimum.

550. The Portuguese representative then quoted the statement made by the President of Portugal on 1 December 1969 to the effect that Portugal's policy had always been to respect scrupulously the sovereignty and territorial integrity of neighbouring countries, but that pursuit of invading raiders retreating to those countries might have given rise to an error along extensive and poorly demarcated borders. Therefore, the representative continued, the possibility could not be excluded that in the particular incident under consideration, Portuguese return fire might have produced the results alleged by Senegal. If so, Portugal was prepared to settle the issue by conciliation, after convoking a bilateral commission of investigation, should Senegal be willing to contact Portugal for that purpose in terms of Article 33 of the Charter. He emphasized that Portugal had no interest in antagonizing Senegal or any other African country, and that it had unsuccessfully tried to seek co-operation with the neighbouring African countries and to conclude non-aggression pacts with them. However, they were avowedly hostile to Portugal and were aiding and encouraging violence against its territories in Africa. They then complained to the Security Council when border incidents occurred as a result of Portugal's exercise of the right of self-defence. Dislike for the internal policy of a country did not justify the use of violence to force that country to change its policy.

551. The representative of Guinea informed the President of the Security Council that by a letter dated 4 December 1969 (S/9528) Guinea had decided to request a separate meeting of the Council to consider a recent act of aggression committed by Portugal against Guinea. Accordingly he postponed the invitation granted him to address the Council until an appropriate moment.

552. At the 1517th meeting of the Council on 5 December, the representative of Senegal denied that Senegalese troops had participated in attacks against Guinea (Bissau) and asked the representative of Portugal to prove his allegations. The representative of Portugal replied that he would do so at a later stage.

553. The representative of France deplored the fact that Senegal—a country with which France had long had friendly relations—had not, in spite of its commendable patience, been spared from frontier violations by the Portuguese armed forces. He expressed concern that Portugal had not abided by the undertaking it had given in 1963 to respect the territorial integrity of Senegal. Notwithstanding France's cordial relations with Portugal, his delegation could not, whatever the reasons advanced by Portugal, approve of actions contrary to Article 2 of the United Nations Charter, which called on Member States to refrain from the use of force against the territorial integrity of any State. France wished that Portugal had sought through bilateral negotiations a solution to difficulties for which Senegal appeared in no way responsible. He hoped the Council would adopt a resolution that would be satisfactory to Senegal and contribute to a lasting solution of the problem.

554. The representative of Sierra Leone stated that this latest act of aggression against Senegal confirmed that Portugal, despite its claim, was not ready to extend a hand of friendship to African countries. Disconcerted by the victories of freedom fighters, who controlled large areas within Guinea (Bissau) itself, Portugal had embarked upon acts of provocation and

aggression against Senegal and other independent African States that constituted a threat to international peace and security. His delegation disagreed completely with the notion, expressed or implied, that countries aiding liberation movements to attain their goal of freedom and independence for their homelands were committing any wrong. Such a notion would certainly be in conflict with United Nations resolutions. Nor could his delegation support the concept of reprisals under the guise of self-defence. The truth of the matter was that because of relentless repression of Africans in Territories under Portuguese domination, thousands had sought refuge in the neighbouring independent African States. The complaint before the Council was a result of that situation, and the Council must deal with it firmly.

555. The representative of Liberia said that the representative of Senegal had given the Council a clear picture of the horrors of Portuguese aggression in Africa, but the representative of Portugal had limited himself to asking extraneous questions. It was well known, he continued, that Portugal, a country with limited resources, could not maintain 150,000 troops to suppress the rightful aspirations to self-determination and independence of the people under its domination without the active support and participation of its NATO allies. He deplored that certain States were unwilling to take positive steps to put an end to Portuguese aggression, thereby prolonging a battle that would grow increasingly bitter as the last opportunities for peaceful conciliation were frittered away. He referred to the Lusaka Manifesto on Southern Africa and asked Portugal to attune its policy to realities by realizing that eventual independence of its African Territories was unavoidable. He hoped the Security Council would strongly condemn Portugal for its acts of war against African States.

556. The representative of Morocco said that it had become clear over the past six years that neither the Council's resolutions 178 (1963) and 204 (1965) nor Portugal's assurances of good neighbourliness had succeeded in preventing the recurrence and multiplication of incidents between Portugal and the African countries bordering on its territories. Senegal, he added, had no quarrel with Portugal; it had, however, a moral duty to support the struggle of people under colonial domination. If the "right of hot pursuit" in areas of conflict were to be accepted, he said, the result would be an expansion of the conflict to neighbouring countries, as was the case in the Middle East and the Far East, where countries were becoming victims of aggression because they opened their borders to people fleeing from oppressive régimes and overwhelming military power. He asked the Council to consider the current complaint in the light of the aggression committed rather than the number of victims or the amount of damage caused.

557. The representative of Hungary said that Portugal was pursuing an outdated and shameful colonial policy, under which it maintained its so-called overseas Territories in Africa by force of arms, in complete defiance of numerous United Nations resolutions and elementary rules of international law. He emphasized that responsibility for the continuation of Portuguese policy of repression in its African Territories and acts of aggression against its independent African States must be shared by its NATO allies, which gave Portugal uninterrupted military and economic support. In

the view of his delegation, the Security Council should condemn Portugal's premeditated aggression against Senegal and its continued occupation of Territories in Africa. The Council should also call upon all States giving military and economic aid to Portugal, whether bilateral or multilateral, to withdraw such aid.

558. The representative of Saudi Arabia stated that colonies were an anachronism in the era of the United Nations. Citing cases of countries that had been liberated after the Second World War, he urged Portugal which, he said, had a commendable record of non-discrimination in racial matters, to follow the example of former colonial Powers and to heed the lessons of history, as no country had long succeeded in suppressing the aspirations of liberation movements. He felt that Portugal could find a timely and peaceful solution to the problem if it were to set the stage for a commonwealth until one day the people would be asked by means of a plebiscite if they wished to retain commonwealth ties. He believed that such a course would save Portugal from the economic ruin of trying to retain its colonies by force of arms.

559. At the 1518th meeting, on 8 December, the President informed the Council that, by a letter dated 7 December (S/9541), the representative of Senegal had submitted another complaint for consideration by the Council concerning renewed shelling of Saminé on that day, resulting in further casualties and damage to property.

560. The new complaint was included in the agenda of the Council and considered together with the previous one.

561. The representative of Senegal, referring to the above complaint, charged that on the morning of 7 December regular Portuguese forces had continuously shelled the village of Saminé, killing five people and seriously wounding another. He stressed that the new aggression, committed at the time when the Council was considering a similar complaint, was aimed both at Senegal and the Council itself, for which Portugal had no respect. Moreover, the shellings were Portugal's only answer to the four-point peace plan for Guinea (Bissau) publicly proposed by the President of Senegal, namely, a cease-fire, followed immediately by negotiations between Portugal and the nationalist movements, and a period of internal autonomy granted by Portugal to be followed by independence within the framework of a Lusitanian-African community. In those circumstances, Senegal again asked the Security Council, if it wished to avoid a catastrophe in west Africa, to condemn Portugal severely and without delay for its acts of aggression against the Senegalese village of Saminé on 25 November and 7 December.

562. The representative of Madagascar declared that the right of self-defence invoked by Portugal could not be exercised to the detriment of the sovereignty and territorial integrity of the Republic of Senegal, which had attacked no one. His delegation believed that if the rights of the administering Power were to be recognized, its duties should be equally stressed, and it was Portugal's main duty, in accordance with United Nations decisions, to lead the people under its administration to the exercise of self-determination; otherwise, the Africans in Guinea (Bissau) had a legitimate right to engage in the struggle for their freedom and independence. The representative of Madagascar renewed his appeal to the great Powers to implement previous Security Council resolu-

tions requesting all States to refrain from giving any assistance to the Portuguese Government that would enable it to continue its repression of the peoples of the Territories under its administration. The great Powers, he added, were in a position to persuade Portugal to take a more realistic and less rigid attitude in its relations with the African States, which could not ignore the just aspirations to independence and freedom of their brothers under Portuguese administration. With regard to suggestions made during the debate that Senegal should have exhausted all the means available under Article 33 of the Charter before bringing its complaint to the Security Council, his delegation believed that bilateral negotiations or conciliation presupposed a will on the part of the parties concerned to abide by the terms of the settlement and that the situation giving rise to the dispute was one which lent itself to peaceful settlement; however, given non-implementation by Portugal of Security Council resolutions and the deliberate and premeditated attacks by that country against Senegal, the latter had rightly turned to the Council.

563. The representative of Tunisia considered that it was the duty of the Security Council to put an end to a situation that threatened the security and integrity of a Member State and to help eliminate the vestiges of colonialism, which was one of the most serious obstacles to international peace and security. Senegal's efforts to avoid aggravating its relations with Portugal had met with the lack of realism and intransigency characteristic of a colonialist mentality. The new aggression by Portugal, he said, confirmed its refusal to comply with United Nations resolutions and confronted the Council once again with the problem of colonial wars spilling over on to territories of neighbouring independent States. Portugal, he continued, had no grounds to invoke the right of self-defence as it did not possess any legitimate claim over African Territories. On the contrary, the General Assembly had, since its adoption of resolution 1514 (XV) on the Granting of Independence to Colonial Countries and Peoples, reiterated the inalienable right of the peoples under Portuguese domination to self-determination and independence and had recognized the legitimacy of the struggle of the national liberation movements. There could be no peace in Africa, he said, so long as African peoples continued to suffer under the yoke of colonialism.

564. The representative of the United Arab Republic observed that Portugal had not denied the charges brought by Senegal but had argued that Portuguese forces had acted in self-defence against the activities of nationalists allegedly operating from Senegal. However, the Security Council in dealing with previous complaints against Portugal, as well as in the case of complaints by Jordan and Lebanon against Israel, had made it abundantly clear that the concept of retaliation was contrary to the Charter and contemporary norms of international law. Retaliation, he added, ignored the basic cause of the conflict—the injustice imposed upon a people by colonial rule—the effective remedy for which was the eradication of that injustice. The attacks alleged by Portugal could not be considered attacks against the Portuguese people; they were attacks on the forces of colonialism and the occupiers of Guinea (Bissau), a Non-Self-Governing Territory entitled under the United Nations Charter to self-government and independence. On the twenty-fifth anniversary of the United Nations, Portugal should

honour the ideas of "peace, justice and progress" and grant the peoples in its Territories the freedom and independence to which they rightfully aspired.

565. The representative of Mali said that Portugal's acts of aggression against Senegal, Zambia, Guinea and other independent African States were multiplying, a situation which urgently called for effective measures by the Security Council. It would be useless, he said, to try to persuade the Government of Portugal to change its policies. Portugal had never understood the changes that had occurred in Africa nor the determination of the African people to free themselves from foreign domination; thus, it had refused to co-operate with the United Nations in promoting a peaceful evolution of its Territories towards self-government and independence. In his delegation's view, peace and justice in Africa could only be assured when Portuguese colonialism and the racist policies practised by the régimes of Southern Rhodesia and South Africa had been abolished. He called on the Security Council for unanimous condemnation of Portugal's acts of aggression against Senegal and Guinea and for measures to ensure that such acts were not repeated.

566. The representative of Yemen said that Portugal, in defiance of General Assembly and Security Council resolutions and utter disregard of international public opinion, persisted in its aggression against peace-loving African States. The colonialism that Portugal wished to perpetuate had become obsolete and was condemned by almost all States, including those which had recently practised colonialism. The representative of Yemen went on to say that Portugal depended heavily on the exploitation of the economic resources of its Territories; a discriminatory agricultural and trade system enabled the Portuguese and foreign interests to exploit African resources and manpower. Every means, he said, was considered appropriate to favour Portuguese companies operating on a system of force and unremunerated labour. Thus, it was not difficult to understand why Portugal clung to its colonial possessions, even at the cost of maintaining a huge army. The Security Council had been too lenient with Portugal, as it had been with South Africa, Southern Rhodesia and Israel, countries which had refused to implement its resolutions. Another resolution deploring border clashes between Portugal and its African neighbours would not be an adequate response to Senegal's complaint; the Council must take the measures necessary to put an end to Portugal's aggression and apply sanctions, if its resolutions were not implemented.

567. The representative of the Union of Soviet Socialist Republics stated that the colonial war waged by Portugal in its Territories was rapidly becoming a war against the independent States of Africa. In clear defiance of Security Council and General Assembly resolutions, Portuguese forces had again violated the territorial integrity of Senegal and other African States. As the Soviet delegation had pointed out in its proposals to the General Assembly concerning the strengthening of international security, peace and security in southern and western Africa could only be strengthened by the immediate cessation of the war being waged by Portugal against the people of Angola, Mozambique and Guinea (Bissau) and by the granting of independence to those peoples in accordance with the United Nations Declaration on the Granting of Independence to Colonial Countries and Peoples. Furthermore, General Assembly resolution 2507 (XXIV) of 21 November 1969 had reaffirmed the inalienable right of the

peoples in Territories under Portuguese administration to self-determination and independence, and if Portugal did not grant them that right peacefully, they had every justification to fight for it. Under those circumstances, it was the people of Guinea (Bissau), not Portugal, who should claim the right of self-defence.

568. The representative of the USSR further stated that, contrary to certain illusions resulting from its new leadership, Portugal, supported by its NATO allies, had actually increased its military expenditure, its armies and its police force in order to fight the patriotic forces in its colonies. Indeed, Portugal had joined in alliance with the Fascist and racist régimes of South Africa and Southern Rhodesia, whose purpose was to prevent the liberation of the oppressed African peoples and to maintain considerable territories of Africa as a base for imperialism and as a beachhead for attack against independent African countries. The General Assembly, in its resolution 2507 (XXIV), had also called upon all States to give moral and material support to the peoples in Territories under Portuguese domination; the Soviet Union fully supported peoples in Africa in their struggle for liberation.

569. The representative of Nepal said that the representative of Portugal had sought to justify the shelling of the Senegalese village of Saminé on grounds of self-defence, but that argument could not be accepted, first, because it was fallacious and unsupported by facts, and, secondly, because Portugal, which had admonished Senegal for not seeking negotiations under Article 33 of the Charter, had not availed itself of the means provided for in that Article but had resorted to armed retaliation. The failure of Portugal to implement the numerous Security Council resolutions indicated that that country had adopted a policy of all-out hostility and punitive action against African countries bordering on its colonial Territories. Furthermore, Portugal had disregarded several decisions of the General Assembly that had unreservedly upheld the right of the peoples in Portuguese Territories to immediate independence and had chosen to cling to its colonial possessions, a situation which created a permanent source of friction in the African continent.

570. In conclusion, he said that his delegation was prepared to support any draft resolution that would ensure against further violations of Senegal's territorial integrity.

571. The representative of Mauritania said that the policy of provocation and intimidation followed by the Fascist régime of Lisbon would not deter any African country from fulfilling its duty to give aid and support to the national liberation movements struggling against an intolerable and universally condemned colonialist adventure. The representative of Portugal had once more distorted the facts by assuming the guise of those who acted in legitimate defence. He deceived no one. Portugal was not an African country, and Angola, Mozambique and Guinea (Bissau) were not and did not wish to be provinces of Portugal. His delegation wished to emphasize the dangers involved both for Africa and the United Nations by a repetition of Portugal's acts of aggression against Senegal. The Security Council therefore should unequivocally condemn Portuguese attacks against Senegal and provide for specific measures that it would adopt without delay if such attacks were renewed.

572. At the 1519th meeting, on 8 December 1969, the Council had before it a draft resolution (S/9542) sponsored by Algeria, Nepal, Pakistan and Zambia that

was subsequently revised by the representative of Pakistan on behalf of the sponsors. The revised text of the draft resolution (S/9542/Rev.1) read as follows:

"The Security Council

"Taking note of the complaints by Senegal against Portugal contained in documents S/9513 and S/9541,

"Conscious of its responsibility for taking effective collective measures to forestall and eliminate threats to international peace and security,

"Bearing in mind that all States must refrain in their international relations from recourse to the threat or use of force against the territorial integrity or political independence of any State or in any manner incompatible with the purposes of the United Nations,

"Concerned about the serious situation created by the shelling of the village of Saminé in the southern region of Senegal from the Bégène base,

"Deeply concerned at the fact that incidents of this nature jeopardize international peace and security,

"Bearing in mind its resolutions 178 (1963) of 24 April 1963 and 204 (1965) of 19 May 1965,

"1. Strongly condemns the Portuguese colonial authorities for the shelling of the village of Saminé, which (1) on 25 November 1969 caused one death and seriously wounded eight persons, struck a building of the Senegalese gendarmerie and completely destroyed two houses in the village of Saminé, and (2) on 7 December 1969 caused five deaths and seriously wounded one woman;

"2. Again calls upon Portugal to desist forthwith from violating the sovereignty and territorial integrity of Senegal;

"3. Declares that in the event of failure by Portugal to comply with operative paragraph 2 of the present resolution, the Security Council will meet to consider other measures;

"4. Decides to remain seized of the question."

573. In introducing the four-Power draft resolution, the representative of Pakistan said that the complaint by Senegal should not be considered in isolation but should be seen in the context of the confrontation between the Governments and peoples of free Africa and Portuguese colonialism. In his statement the representative of Portugal had contended that his country had reacted to a series of violent actions directed against Portuguese Guinea that had been caused or allowed to be caused by Senegal. That claim to self-defence was untenable first, because neither the United Nations nor the Organization of African States recognized Portugal's colonial possessions in Africa and, second, because the General Assembly itself, in resolution 2105 (XX), had called on all States to provide moral and material assistance to national liberation movements in colonial Territories. With regard to Portugal's assertion that frontier incidents between Portuguese colonial Territories and their African neighbours should be settled through bilateral negotiations, Pakistan felt that, even if that were possible, the root of the conflict involved an issue which concerned the international community, especially the Security Council, which was primarily responsible for the maintenance of international peace and security. It was the duty of the Council, if it wished to ease tensions in Africa, to extend the fullest moral and political support to Senegal in defence of its sovereignty and territorial integrity. The draft resolution, which his delegation, together with those of Algeria,

Nepal and Zambia, had submitted to the Council, was not, he declared, animus against Portugal but inspired by grave concern at the situation existing on the Senegal-Guinea border and the potential danger along the entire frontier between free Africa and Portuguese colonialism.

574. The representative of Finland stated that the complaint of Senegal merited the Council's most serious consideration and should be seen in the larger context: the underlying cause for the pattern of tension and violence between African territories under Portuguese administration and neighbouring African States was Portugal's persistent refusal to make any advance towards granting the people in its Territories the self-determination and independence to which they had an inalienable right under Chapter XI of the United Nations Charter and the Declaration of the Granting of Independence to Colonial Countries and Peoples. In the case at hand, the representative of Portugal had not disclaimed responsibility for the incident of 25 November but had maintained that his country had acted in legitimate self-defence. In the view of the Finnish delegation it was the primary duty of the parties concerned to resolve such a dispute by the means envisaged in Article 33 of the Charter; however, as the minimum measure of mutual confidence required for such a procedure seemed absent, it was the Council's duty to investigate the complaint and seek an effective remedy within the terms of Chapter VI of the Charter.

575. The representative of Syria said that the problems arising from the non-compliance by Portugal with United Nations resolution 1514 (XV) must indeed be the concern of all Member States inasmuch as colonialism was incompatible with the principles and purposes of the Organization. In the opinion of his delegation, the denial of the right of self-determination to Africans under colonial rule and the repeated encroachments on the security and territorial integrity of independent African States constituted a threat to international peace and security. If Portugal's defiance of United Nations resolutions were allowed to continue with impunity, the United Nations would be unable to fulfil its role in ensuring peace and justice. In his statement, the representative of Portugal had suggested that Senegal should have resorted to bilateral negotiations. But had not the Lisbon régime undermined from the start the very premises of any fruitful dialogue by its absurd claim that the African Territories under its domination were Portuguese provinces and had no right to self-determination? The presence of Portugal in Africa by force of arms was unwanted and illegitimate. It was therefore the duty of the Security Council to enforce the rule of law, accelerate the access of the subjected people to the exercise of self-determination and silence with effective measures the guns of the aggressors in Africa once and for all.

576. The representative of Colombia stated that his delegation's position in connexion with principles involved during the Council's discussion of the item was against the survival of all colonial régimes and that the self-determination of peoples was one of the essential tenets governing his country's international relations.

577. The President, speaking as the representative of Zambia, stated that the representative of Senegal had given the Council a precise account of Portuguese violations against his country, but the representative of Portugal had been content with making an overall, cynical denial of the charges. He recalled that in connexion with Zambia's recent complaint against Por-

tugal, some of Portugal's allies had not supported the resolution then adopted by the Council, on the grounds that Zambia had failed to establish a *prima facie* case. He hoped, however, that those countries would join in a unanimous condemnation of Portugal's acts of aggression against Senegal. He said that Portugal, comforted by the support it received from its NATO allies, defied with impunity all General Assembly and Security Council resolutions concerning the granting of independence to peoples in colonial Territories and sought to confuse the Council's debate by falsely claiming that the African countries neighbouring on its Territories were at war with it. Actually those countries, by giving shelter to refugees from the Portuguese Territories were simply complying with General Assembly resolution 2107 (XX) and the Lusaka Manifesto on Southern Africa. He appealed to Portugal, which he said was spending 45 per cent of its national budget for defence, to permit the people of its Territories to shape their own destiny, because no single nation, however strong, could crush the spirit of nationalism and freedom.

578. At the 1520th meeting on 9 December 1969, the representative of Portugal, in exercise of his right of reply, said that the representative of Senegal had asked him to furnish proof that Senegalese troops had participated in the attacks against Guinea (Bissau). But he pointed out, Senegal itself had furnished no proof in support of its complaints; and if the statements of the Senegalese representative were to be regarded as proof, so should his. Contrary to what some delegations had asserted during the debate, his delegation had not admitted the charges in Senegal's first complaint or used such expressions as "reprisals", "retaliation" and "pursuit" in stating Portugal's position on the right of self-defence. With regard to the General Assembly and Security Council resolutions quoted by many delegations, he said that such resolutions were only recommendations, which Member States could accept or reject in exercise of their sovereign right and judgement. He emphasized that Portugal had been admitted as a State Member of the United Nations with all its Territories as defined in the Portuguese constitution; it was therefore beyond the competence of the United Nations to question the territorial integrity of the Portuguese State.

579. Referring to Senegal's complaint of 7 December, the representative of Portugal said that information obtained by his delegation indicated no involvement by Portuguese security forces in the new incident at Saminé. However, he asserted that a fracas did appear to have occurred at Saminé on that day, involving the local population and rival groups among the armed elements there organized to attack Portuguese Guinea.

580. The representative of Senegal, exercising the right of reply, said that the statement of the representative of Portugal had side-stepped the issue and had been made only for the benefit of those who wished to find attenuating circumstances for Portugal.

581. In explanation of his Government's position before the vote, the representative of Paraguay said that all the circumstances of the incidents indicated that there had been a violation of Senegal's sovereignty and territorial integrity by Portugal. Respect for the sovereignty and territorial integrity of States was one of the cornerstones of international relations and a principle of the Charter. His delegation would vote in favour of the draft resolution.

582. The representative of China said the facts of the Senegalese complaint against Portugal were not in dispute. His delegation would vote for the draft resolution because, in its view, the use of armed force by Portuguese authorities to violate the territorial integrity of Senegal could not be condoned.

583. The representative of the United States stated that it was not his delegation's intention to cast doubt on the credibility of either party; however, as in the case of the Zambian complaint, his Government would have been more prepared to take a position on the merits of the case, if the Council had been in possession of some impartially verified account of the current complaints. Indeed, from the information provided to the Security Council, it appeared that force had been used by both sides. The draft resolution made a specific finding against Portugal, he declared, which his delegation was unable to support in the circumstances described. Its position on the draft resolution did not, however, have anything to do with its attitude on the more fundamental question of self-determination for the Portuguese Territories, which the United States had consistently supported.

584. The representative of France said that his delegation, although it did not challenge Portugal's right of self-defence, could not approve of the firing by Portuguese authorities on the territory of Senegal, an eminently peaceful country; consequently, it would vote for the draft resolution.

585. The representative of the United Kingdom stated that his Government did not support the policies of Portugal in Africa by moral, military or economic means, and it had long advocated a policy of self-determination in the Portuguese Territories. The Coun-

cil, however, was not dealing with Portugal's over-all policy but with a specific complaint, with regard to which the Council had to make a judgement on the basis of the reports before it. Those reports had been well presented by both the representative of Portugal and the representative of Senegal and should be accepted in good faith. The reports of the representative of Senegal were convincing, and they had not been denied by Portugal. Consequently, his delegation would vote for the draft resolution, which was forward-looking and demanded non-repetition of such incidents in the future.

586. The representative of Spain stated that his delegation had hoped that the parties concerned would have conducted talks to determine the facts and possibly decide on payment of compensation, since Portugal was prepared to do so, if the facts so warranted. Spain could not support the draft resolution but appealed for avoidance of the repetition of incidents which caused the lives of so many innocent victims.

Decision: At the 1520th meeting, on 9 December 1969, the draft resolution (S/9542/Rev.1), as amended, was adopted by 13 votes to none, with 2 abstentions (Spain and the United States), as resolution 273 (1969).

587. In a statement after the vote, the representative of Portugal deplored resolution 273 (1969), as totally one-sided and based on unproved allegations. Claiming that the draft resolution had been introduced even before his delegation had had an opportunity to examine Senegal's second complaint, which it had since denied, he stated that the situation raised serious doubts as to the usefulness of his delegation's continuance of the attitude it had so far maintained towards the Council.

Chapter 8

COMPLAINT BY GUINEA: LETTER DATED 4 DECEMBER 1969 FROM THE CHARGE D'AFFAIRES A.I. OF GUINEA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL (S/9528)

A. Communications and request for a meeting

588. In a letter dated 2 December 1969 addressed to the President of the Security Council (S/9525), the representative of Guinea charged that another act of aggression had been committed a few days previously against its national sovereignty by regular forces of the Portuguese army, which had repeatedly shelled two Guinean frontier villages. The letter noted that such acts of aggression had been strongly condemned by the Organization of African Unity in a resolution endorsed by General Assembly resolution 2507 (XXIV).

589. In a further letter dated 4 December (S/9528), the representative of Guinea requested the President of the Security Council to convene a meeting of the Council to consider its complaint against Portugal.

590. Guinea's request for a meeting of the Council was supported by the representatives of forty African Member States in a letter to the President of the Security Council dated 5 December 1969 (S/9549). The letter stated that the representatives were acting in accordance with the Charter of the Organization of African Unity, which required its Member States to

promote mutual unity and solidarity and to eradicate all forms of colonialism from Africa. Similar acts of aggression had been committed by Portugal against the Democratic Republic of the Congo, the People's Republic of the Congo, Senegal, United Republic of Tanzania and Zambia. Those countries, the letter said, had done nothing but comply with the Charter of the Organization of African Unity and implement its resolutions condemning Portugal's refusal to recognize the right for self-determination of the people under its domination. Africa was concerned at the constant threat posed by the Portuguese armed forces in Angola, Mozambique and Guinea (Bissau) and hoped that the Council would take the necessary steps under Chapter VII of the Charter, to end Portuguese acts of aggression.

591. In a further letter of 12 December 1969 (S/9554) addressed to the President of the Security Council, the representative of Guinea listed several incidents of aerial bombing and mortar shelling of Guinean villages in the Gaoual and Boké regions and an attack by five Portuguese military patrol boats on the unarmed Guinean motor barge *Patrice Lumumba*, all said to have been committed between 13 April and 13 No-

November 1969 by Portuguese armed forces stationed in Guinea (Bissau). As a consequence of those incidents, four persons had been killed and six wounded, the fate of twenty-one passengers abducted with the boat was still unknown, many huts had been burned and there had been extensive loss of property and goods.

B. Consideration at the 1522nd to 1526th meetings (15-22 December 1969)

592. At its 1522nd meeting on 15 December, the Security Council included the item in its agenda and invited the representatives of Guinea and Portugal, at their request, to participate in the discussion without the right to vote.

593. The representative of Guinea cited Portugal's acts of aggression against the sovereignty of African States and said that after nine years of provocations, Guinea had called for a meeting of the Security Council because its patience had run out. The representative of Guinea gave a detailed account of the incidents listed in his letter of 12 December (S/9554), reading out reports in full as submitted by local Guinean officials, including an eye-witness account of the attack on, and seizure of, the *Patrice Lumumba* on 27 August 1969. According to the account, five Portuguese military patrol boats had opened fire on the barge as it was approaching the Guinean port of Kadigué, as a result of which the Secretary-General of the Kanfarandé administrative region had been instantly killed, three persons wounded and twenty-one passengers abducted. He recalled that the incident of the *Patrice Lumumba* had provoked swift reaction from the Council of Ministers of the OAU, which adopted at its thirteenth session a resolution condemning Portugal's illegal act, and appealing to the Secretary-General of the United Nations to prevail upon Portugal to return the Guinean boat and free the passengers immediately. A message to that effect had been sent directly to the Secretary-General by the OAU Council of Ministers.

594. The representative of Guinea referred also to the continued detention by Portuguese authorities of a Guinean aircraft and two of its crew members, belonging to the national company Air Guinée, said to have made a forced landing in Guinea (Bissau) in March 1968. He maintained that Portugal had ignored the provisions of the International Civil Aviation Organization's Convention, to which it was a signatory, which required member States to render assistance to aircraft in distress. Furthermore, Portugal had disregarded General Assembly resolution 1514 (XV) and other relevant resolutions of the Security Council and the General Assembly, and had, by its attacks on Guinea, frustrated the intentions of the Lusaka Manifesto. He called on the Security Council to condemn Portugal unanimously and to demand that it return immediately the Guinean boat and aircraft, as well as all the Guinean nations arbitrarily held in Guinea (Bissau), that it compensate the victims of its aggression and that it cease all acts of provocation against the Republic of Guinea.

595. The representative of Portugal said that his delegation required more time to examine the allegations contained in Guinea's letter of 12 December and to obtain the necessary information from his Government before commenting on the specific charges. Stating that Guinea had apparently taken it upon itself to enforce the resolutions of the General Assembly, he recalled that they were only recommendations to be accepted or rejected by Member States in exercise of

their sovereign right. He denied Guinea's charges that Portugal was constantly committing aggression against it; on the contrary, it was Guinea that had authorized the organization on its territory of violent movements against Portuguese Guinea, which for several years had been the victim of constant attacks. He cited one such incident of aggression in August and ten in November 1969, when six frontier villages in Portuguese Guinea had been attacked by rocket, mortar and long-range artillery coming directly from inside Guinea. Behind those attacks, he said, were military and personnel support from certain foreign Powers outside Africa. He proposed that the Security Council should investigate the charges made by both sides so as to place responsibility where it belonged.

596. With regard to the Guinean motor barge and aircraft detained in Portuguese Guinea, the Portuguese representative referred to his delegation's statements to the General Assembly on 25 October 1968 and 8 October 1969 to the effect that Portugal was prepared to consider the release of the plane and its crew and the boat and its passengers on condition that Guinea first returned twenty-four Portuguese military personnel, unlawfully kidnapped from Portuguese Guinea and detained in Guinea. Portugal maintained that position and it had so informed the Secretary-General and others who had tried to use their good offices regarding this matter.

597. At the 1523rd meeting of the Council on 17 December, the President invited the representatives of Lesotho, Liberia, Madagascar, Mali, the People's Republic of the Congo, Saudi Arabia, Sierra Leone, Syria and Tunisia, at their request, to participate in the discussion without the right to vote.

598. The representative of Algeria said that Portuguese colonialism in Africa, not content with waging a merciless war against the African peoples of Angola, Mozambique and Guinea (Bissau), was trying to expand the area of conflict by resorting to bombing innocent villages and abducting persons in countries adjoining Portuguese-held Territories under the false pretext of destroying the so-called rear bases of the resistance movements. Portugal's objective, supported by its NATO allies and régimes in southern Africa, was not only to exploit the wealth of its colonial Territories but to weaken the economies of the independent African countries that it so attacked. His delegation hoped that the international community would recognize that the continuation of colonialism constituted a direct threat to international peace and security and that its elimination would accelerate the process of decolonization. It was therefore pertinent that the Security Council, on the eve of the tenth anniversary of the Declaration of the Granting of Independence to Colonial Countries and Peoples, should condemn Portugal unequivocally for its intensified aggression against independent African countries.

599. The representative of Senegal said that the chief reason for Portugal's acts of aggression against independent African countries was its negative response to all appeals for self-determination of peoples under its domination. The African countries felt no hostility towards Portugal: all they asked was that Portugal should act in accordance with the resolutions of the United Nations and, like former colonial Powers, some of them its allies, guide its peoples towards self-determination and independence in friendship and without bloodshed. Portugal should realize that, even with the assistance furnished by some of its friends, it could not

maintain its hold over the African Territories under its domination.

600. The representative of the People's Republic of the Congo, in expressing his Government's concern at the constant and premeditated acts of aggression by Portugal against African States, complained of new acts of provocation by Portugal against his country. Quoting from a recent statement by his Government, he said that on 7 July 1969 a commando of armed Portuguese mercenaries had entered Congolese territory and seized a car occupied by eleven civilians, of whom two children and four women had been returned and five men were still unlawfully detained by the Portuguese authorities. Those acts, like the ones brought to the attention of the Council by Guinea, showed that the presence of Portuguese colonialism threatened the sovereignty and independence of African countries in flagrant violation of the United Nations Charter. The Security Council, which had recently taken an important decision in connexion with Senegal's complaint, should likewise condemn Portuguese aggression against Guinea, and demand the immediate return of Guinean nations, airplane and motor barge and the payment of reparations to victims of the aggression.

601. The representative of Madagascar said that there could be no peace in Africa as long as Portugal's operations against the liberation movements spread far beyond the bounds within which they should have been circumscribed. But even then, his delegation could find no moral justification for the perpetration of such acts of violence against the African population living in Guinea (Bissau) and, still less, against the sovereignty and territorial integrity of an independent State. In the view of his delegation, the Security Council, in weighing its response to Guinea's complaint, should bear in mind that a Member State whose sovereignty and territorial integrity was threatened by acts of aggression and provocation should be accorded the protection of the United Nations and that the people of the area were entitled to a normal peaceful life free from fear of attacks. Madagascar had no intention of interfering in Portugal's domestic affairs; but when it was clear that certain events would not have taken place had the policy of that State been modified, it was difficult not to pass judgement on that policy. When the Territories under Portuguese administration were granted their freedom, Madagascar would be able to co-operate with Portugal.

602. The representative of Saudi Arabia stated that the main factor underlying Guinea's complaint against Portugal, supported by forty African States, was the inalienable right to self-determination still denied to people under the yoke of Portuguese colonialism. It was surprising, he said, that Portugal, which had benefited from Mediterranean culture, should be more stubborn in its colonial stand than other European countries, which had wisely relinquished their colonies. He appealed to Portugal to follow, without delay, the right course of action so as to avoid interminable conflict with the African States, which, he said, could not renounce assistance to the African liberation movement. Were Portugal to accelerate the process towards self-determination through education, allowing those who were fighting against Portugal to participate in that process, there would be peace and prosperity both in Portugal and Africa.

603. The representative of Lesotho said that the acts of violence committed by Portugal against Guinea

and other African countries must be regarded as deliberate acts of policy. His Government was seriously concerned that the incidents of which Guinea had complained revealed a pattern of indiscriminate bombing and shelling of villages, wanton disregard for the value of human life and flagrant violations of Guinea's territorial integrity by Portugal; if that situation was not checked, it could lead to a serious deterioration of the situation in all African States. His Government was convinced that Portugal's cynical disregard of the United Nations Charter and its desperate attempt to cling to its colonial policies could only generate increased bitterness and condemnation. His delegation therefore appealed to the Council to take measures to prevent the recurrence of those incidents.

604. At the 1524th meeting, on 18 December 1969, the President invited the representatives of India, Libya and Yemen, at their request, to participate in the discussion without the right to vote.

605. The representative of Syria said that the situation caused by Portugal's perpetuation of colonialism and harassment of independent African countries had been declared by the United Nations to be a crime against humanity, and Portugal should know that the African countries, in response to its colonial war in its African Territories, had a right to fight so as to liquidate the remnants of colonialism there. Indeed, if Portugal denied the right of independence to those Territories, it was the whole community of nations that must meet its challenge. The Security Council must take measures to dissuade Portugal and its supporters.

606. The representative of Liberia said that his delegation regretted that the Council's resolutions had had no effect in stopping Portugal's acts of aggression against African States bordering on its colonial Territories, a situation to which no country in Africa could remain indifferent. One of the reasons for Portugal's intransigence, he said, was its possession of weapons, intended for NATO defence, which Portugal used to suppress the aspirations of the African peoples in the Territories under its administration. The OAU had declared its determination to achieve the liberation of the African continent by peaceful means, with the participation and good faith of all the parties concerned, including Portugal. His delegation exhorted Portugal to heed the lessons of history and grant independence to its peoples peacefully; there was nothing degrading in doing so, as the example of some of the erstwhile colonial Powers had clearly shown. He expressed the hope that the Council would take action to redress the wrong inflicted on Guinea.

607. The representative of Libya said that Portugal, which for more than 400 years had exploited and oppressed the people of Angola, Mozambique and Guinea (Bissau) and was bound by the principles of the Charter, had systematically refused to abide by the decisions of the United Nations proclaiming the end of colonialism and had intensified its attacks on many peace-loving, independent African States on the pretext of self-defence and right of pursuit. The Security Council should take cognizance of the statement by the representative of Portugal that resolutions of the General Assembly were only recommendations to be accepted or rejected by Member States at will. He urged the Council, as the organ primarily responsible for the maintenance of international peace and security, if it wished to enforce respect for its resolutions and those

of the General Assembly, particularly resolution 1514 (XV), to put an end to the unjustified acts of aggression by Portugal and decide once and for all the fate of the African populations under Portuguese administration.

608. The representative of Mali said that although Guinea was capable of dealing with encroachments on its sovereignty and territorial integrity, it had preferred to adhere to international procedures and bring its complaints to the Council. Portugal, on the other hand, had exercised its so-called right of self-defence; but, if self-defence were to be accepted as a justification for violence, then the African States bordering on the Portuguese Territories should invoke it against Portugal, which was repeatedly violating the national sovereignty of those countries. Portugal, he continued, refused to recognize the success of the liberation movements, which controlled various parts of Guinea (Bissau), and accused other States of endangering the security of the population of its colonial Territories, when, in fact, the people of Guinea (Bissau) were living in a state of permanent insecurity as a result of Portuguese colonial policies.

609. The representative of Portugal, on the basis of further information received by his delegation, denied Guinea's allegations of shelling by Portuguese forces on 10 September and 13 November 1969 and added that his Government had no evidence of any air raids or shelling alleged to have occurred some six months earlier. He countercharged that the Portuguese Guinean villages of Gadamael Canquelifa and Cambajá had suffered four attacks on 12 and 17 December 1969 by shelling and by armed bands from the Republic of Guinea, as a result of which three persons had been killed, two of them women, and several others wounded, including a three-year-old child. He emphasized that whatever action Portuguese forces might have taken had occurred on Portuguese territory and exclusively in self-defence, the right to which was clearly enshrined in Article 51 of the United Nations Charter.

610. In conclusion, noting that the representative of India was the next scheduled speaker, the Portuguese representative stated that his delegation would withdraw from the Council during the Indian address. Portugal, he declared, did not recognize the moral right of India to participate in the debate, inasmuch as that State had committed premeditated aggression against Goa, an overseas province of Portugal, in 1961 and had been condemned by the Council.

611. The representative of India said that his country was not ashamed to declare that if colonies could not be liberated by peaceful efforts, then there was no alternative but to drive out the colonial Power by force. India had exercised that moral right in respect of Portuguese Goa. Turning to the question before the Council, the representative of India said that the process of bilateral negotiations was not applicable to the complaint under discussion, because the United Nations was committed to the elimination of colonial régimes, and Portugal refused to abide by the principle of anti-colonialism or to carry out any of the resolutions adopted by the United Nations. If the United Nations could not take action to enforce its resolutions, the African countries and peoples had a moral obligation to take whatever steps they deemed necessary to put an end to the tyranny of Portuguese colonialism. The Security Council, which had considered similar complaints in the past and rightly condemned Portugal for them, should not merely condemn that country again

but should make it impossible for it to continue its aggression in Africa. If Portugal would not listen to reason or pay respect to the principles of the Charter, it must be isolated more than ever before; piecemeal solutions, he concluded, would lead the Council nowhere.

612. In exercise of his right of reply, the representative of Guinea said that the representative of Portugal had implicitly recognized his country's responsibility for its acts of aggression but had presented to the Council his usual defence of merely denying them. However, the fact was that Portugal was unwilling to admit the successes of the national army of liberation of Guinea (Bissau), which was now in effective control of a part of that Territory. Frustrated by such reversals, Portugal had turned to indiscriminate bombing of the liberated part of the Territory and of neighbouring countries. Concerning the Portuguese military personnel claimed to be held in Guinea, he said that if there were soldiers being held by the national liberation movements, it was up to Portugal to enter into a dialogue with those movements to negotiate their release.

613. At the 1525th meeting, on 19 December 1969, the President invited the representatives of Mauritius and Bulgaria, at their request, to participate in the discussion without the right to vote.

614. The representative of Nepal said that the violations of the territorial integrity of Guinea by Portugal fell into the general pattern of that country's policy of active hostility against the African countries adjoining its colonial Territories of Angola, Mozambique and Guinea (Bissau). But the Security Council, as a progressive institution in the United Nations system, whose primary responsibility was to maintain world peace and security, could not lose sight of the fact that if Portugal persisted in its current policy, similar complaints were bound to come before the Council in the future. In the light of those considerations, he submitted the following draft resolution (S/9574) on behalf of the delegations of Algeria, Nepal, Pakistan, Senegal and Zambia:

"The Security Council,

"Having noted the contents of the letter of the representative of Guinea in documents S/9525, S/9528 and S/9554,

"Observing that incidents of this nature jeopardize international peace and security,

"Mindful that no State should act in any manner inconsistent with the principles and purposes of the Charter of the United Nations,

"Gravely concerned with any and all such attacks by Portugal directed against independent African States,

"Grieved at the extensive damage caused by the Portuguese shelling of Guinean villages from positions in the Territory of Guinea (Bissau),

"1. Deeply deplores the loss of life and heavy damage to several Guinean villages inflicted by the Portuguese military authorities operating from bases in Guinea (Bissau);

"2. Calls upon Portugal to desist forthwith from violating the sovereignty and territorial integrity of the Republic of Guinea;

"3. Calls upon the Portuguese authorities in Guinea (Bissau) to release immediately the Guinean

civilian plane which was captured on 26 March 1968 together with the pilots thereon;

"4. *Further calls* upon the Portuguese authorities in Guinea (Bissau) to release immediately the Guinean motor barge, *Patrice Lumumba*, which was captured on 27 August 1969, together with the passengers thereon;

"5. *Solemnly warns* Portugal that if such acts were to be repeated in future, the Council would have to seriously consider further steps to give effect to this decision."

615. The representative of Nepal appealed to the Council for the widest possible support for the five-Power draft resolution, saying that it had been formulated with a great deal of restraint and sought, in a limited way, to redress the wrongs suffered by Guinea and to discourage Portugal from similarly provoking other African countries.

616. The representative of Hungary said that the violent actions perpetrated in less than six months by Portugal against Zambia, Senegal and Guinea were not isolated incidents but an inherent part of Portugal's colonial policy, which the Security Council, contrary to Portugal's contention, was entitled to discuss inasmuch as the United Nations had reminded Portugal many times that it must abandon that policy and take immediate measures to grant independence to the Territories under its domination. However, Portugal's response to United Nations resolutions had been nothing but the shelling of villages and the killing and wounding of civilian populations. His delegation shared the view of the African delegations that Portugal was an intruder in Africa and, as such, had no right to characterize its acts of aggression against the African people as self-defence. In the opinion of his delegation, there could be no justification for Portugal's continuous acts of aggression against independent African States, and he urged the Council to consider those acts in terms of Article 25 of the United Nations Charter.

617. The representative of Yemen drew attention to the report of the Special Committee on the Situation with regard to the Implementation of the Declaration of the Granting of Independence to Colonial Countries and Peoples of 28 November 1969 (A/7752/Add.2), in which it was stated that the new Government of Portugal was giving greater attention than ever before to the economic development problems of Portugal and its overseas Territories. That development, he pointed out, meant greater and more merciless exploitation of the peoples of those Territories to make up for the heavy military expenditures incurred in waging a colonial war in Africa. The liberation movements, however, were sure of their victory, and he commended Guinea and the other African countries for showing their solidarity with such liberation movements, as his own country did, in accordance with the principles of the Charter and the resolutions of the Security Council and the General Assembly. He expressed the hope that the Security Council would take steps to end Portugal's aggression and, if necessary, would apply sanctions provided for in the United Nations Charter.

618. The representative of Pakistan observed that the successive complaints brought to the Council by Zambia, Senegal and Guinea, and the solid support they had been given by the African Member States made it clear that the question before the Council was a wider one than that of specific complaints and involved confrontation between the independent African

States and Portuguese colonialism in Africa. With respect to Portugal's contention that the United Nations was not competent to question Portuguese sovereignty in Africa, the representative of Pakistan asked whether Portugal was not bound to comply with the obligations set forth in Chapter XI of the Charter relating to Non-Self-Governing Territories. The General Assembly, at its twenty-fourth session, had condemned Portugal's continued refusal to transmit information under Article 73 of the Charter with regard to the Territories under its domination. Portugal could not invoke the Charter against the international community and, at the same time, flout the provisions under Chapter XI. Furthermore, in his delegation's view, it was the duty of the Council Members to consider Portugal's violations of United Nations law in assessing its contention to the right of self-defence and reprisal for the right of self-defence did not belong under generally accepted rules of international law when the party claiming it was acting in contravention of that law. In conclusion, he said that the succession of provocations and aggressive acts by Portugal created a situation fraught with danger to peace in Africa; therefore, he urged the Council to concentrate on the preventive aspects of its decision and take steps to reassure Guinea and other African States that it could not remain indifferent to Portugal's aggression against them.

619. The representative of Bulgaria stated that in trying to minimize the significance of the acts of aggression against Guinea by saying they were mere border incidents, the representative of Portugal had, in effect, admitted their occurrence and his Government's responsibility for them. Furthermore, Portugal had alleged that it had been the victim of attacks from Guinea; but it was Guinea that had lodged the complaint before the Council, because Portugal did not dare initiate an action that would shed light on its own acts of aggression. It was relevant, he said, to ask how Portugal could afford to maintain an army of 150,000 men, at a cost of 43 per cent of its national budget, to wage a colonial war against the oppressed people of Angola, Mozambique and Guinea. Clearly that could be possible only because of the military and economic assistance given to Portugal by its NATO allies and the racist régimes of South Africa and Southern Rhodesia, whose purpose was to create a military and economic bastion to perpetuate their colonial domination in Africa. In the light of that situation, it was the duty of the Security Council to take vigorous action against the constant threats to peace and security in Africa.

620. The representative of the Union of Soviet Socialist Republics said that in spite of repeated demands by the Security Council and the General Assembly that Portugal should halt armed subversion against independent African countries and end violations of their territorial integrity and sovereignty, the representative of Guinea had cited facts concerning further acts of aggression by Portuguese colonialists, which the representative of Portugal had not denied. Thus, Portugal was proceeding further in its policy of ignoring the legitimate demands of the United Nations and the determined efforts of the African peoples to free themselves from colonial slavery and to defend their independence and sovereignty against the forces of colonialism and imperialism. Portugal should know that it had no future in Africa and no amount of political devices could save it from the just wrath of the African peoples it oppressed.

621. The representative of the USSR stated that Portugal's defiance of the United Nations and its provocations against African States was possible because of the military, financial and political support it received from its more powerful allies in NATO and from its alliance with the racist-Fascist régimes of South Africa and Southern Rhodesia. He stated that Portugal's attempt to justify its aggression against the African countries on the pretext of self-defence was completely groundless; nor could it claim the right to take retaliatory measures, which was contrary to modern international law and the United Nations Charter. The Security Council had repeatedly and officially emphasized in its resolutions the inadmissibility of that right; it had, for example, condemned Israel for the practice of so-called military reprisals against the Arab countries. In the case of Portugal, the African countries had both a duty and a right, recognized by the United Nations, to render all moral and material assistance to the peoples in the Territories under Portuguese administration. The Soviet Union, he said, supported Guinea's demands and trusted that the Council would take severe measures to halt Portuguese acts of aggression against independent African countries.

622. The representative of Mauritius stated that his delegation was deeply concerned at the persistent harassment of African countries by Portugal and said that there could never be peace and security in Africa until the last vestiges of colonial rule had been removed and oppressive racist policies eradicated. He appealed to Portugal's powerful friends to use their influence to put an end to the suppression of the peoples of Angola, Mozambique and Guinea (Bissau). Recalling India's liberation of Goa, he agreed that when an injustice was perpetuated it was the right and duty of peoples to use force, if necessary, to remedy the wrong.

623. The representative of Sierra Leone said that Portugal's attacks against the African countries adjoining its colonial Territories appeared to be a deliberate policy transgressing all acceptable international norms of conduct and was clearly contrary to Article 2 of the United Nations Charter. The representative of Portugal had claimed that his country's presence in Africa was unquestionable; but such an assertion reflected an outmoded colonialist view and the bankruptcy of Portugal's colonial policy. He urged Portugal to follow the example of former colonial Powers, who, by reversing similar colonial policies, had benefited from a relationship of mutual respect and friendship with the people they once ruled.

624. The representative of the United Kingdom said that his delegation had voted in favour of Council resolution 273 (1969) dealing with complaints brought by Senegal because the reports presented to the Council had not been denied; they had been detailed and categorical and had satisfied the United Kingdom that the complaints were justified. In the case under consideration, however, owing to the time and distance involved, it had not been possible to establish all the facts concerning the complaints and countercharges; consequently, his delegation would abstain on the draft resolution. He suggested that the Council, if such complaints were made in the future, might consider the possibility of an impartial, on-the-spot investigation, such as that offered by the representative of Portugal, in the event of incomplete evidence or of facts that were disputed.

625. The President, speaking as the representative of Zambia, referred to the statement by the representative of Portugal that resolutions of the General Assembly were only recommendations which Member States might accept or reject and said that such an attitude cut across the very spirit of the United Nations and reduced the Security Council to a mere debating society. Matters were not helped by the support received by Portugal from certain Member States of the United Nations, some of them members of the Security Council. He expressed concern that the indifference and insensitivity of those Members to the problems of Africans and small Powers was reducing the effectiveness of the Security Council as an instrument for peace and justice. The small Powers, however, during the twenty-fourth session of the General Assembly, had demonstrated for the first time that they could exercise the enormous moral power they possessed for the benefit of mankind as a whole. His delegation remained convinced that Guinea had been the victim of Portuguese aggression; for that reason, it supported Guinea's complaints and demands, which were reasonable, and expressed the hope that the Council would again condemn Portugal for its aggressive actions against independent African States.

626. At its 1526th meeting, on 22 December 1969, the Council, before proceeding to vote on the five-Power draft resolution (S/9574), heard statements in explanation of vote.

627. The representative of Spain expressed the belief that the events that had occurred required an investigation by the Council in accordance with the provisions of the Charter, particularly under Articles 33 and 34, so that Council members might have objective information on which to judge the situation. In the absence of such an investigation, his delegation, though deploring the loss of life and material damage caused by the incidents, was unable to make judgement and would therefore abstain.

628. The representative of the United States stated that his Government would abstain from voting because the draft resolution failed to take into account the conflicting claims presented by the representatives of Portugal and Guinea. The considerable gap between the time the incidents had reportedly taken place and the meeting of the Council, as well as the lack of any impartially confirmed evidence, made it difficult for the United States to make an informed decision on the facts of the case. His delegation would have preferred to see the issues settled through recourse to Article 33 of the Charter; it regretted that the procedures available under that provision had not been sufficiently explored.

629. The representative of Finland said that his delegation would vote in favour of the draft resolution for two reasons: first, because, in the absence of the necessary prerequisites for applying the procedures provided under Article 33 of the Charter, the Council had a duty, under Chapter VI, to recommend ways and means by which the recurrence of such incidents could be prevented; and second, because, in the view of his delegation, the incidents before the Council were not isolated but were part of a larger problem, namely, the suppression of the legitimate right to self-determination of the peoples living in the African Territories under Portuguese administration.

630. The representative of France stated that his country had always considered the right of peoples to self-determination and the free exercise of that right

as a moral obligation and a precondition for political stability and had demonstrated what complete decolonization could achieve in creating friendship and fruitful co-operation. His delegation appealed to Portugal to follow the same path. Nevertheless, the draft resolution caused France certain hesitations because it related to incidents for the most part already old, the facts of which seemed neither clearly nor adequately established, and France wondered whether the measures proposed would really restore calm in the region. Moreover, his delegation believed that the Council should be in a position to facilitate bilateral negotiations under Article 2 of the Charter, inasmuch as both parties had expressed the wish to obtain the release of persons and property held on the other's territory. For those reasons, his delegation would abstain from voting on the draft resolution.

631. The representative of Colombia said that although his delegation was concerned over the continuation of Portuguese colonialism in Africa, the Council, in his view, should take into account the statement of the representative of Portugal indicating his Government's desire that the complaints before the Council be investigated, a procedure that was consonant with the provisions of the Charter. In the absence of such an investigation, Colombia would abstain from voting on the draft resolution.

632. The representative of Paraguay said that his delegation's primary consideration in judging the complaint before the Council was the fact that any violation of the sovereignty and territorial integrity of a State constituted a dangerous breach of internationally accepted norms governing relations between States. The second most important consideration was the need to verify the facts of the complaint. It seemed to his delegation, from the reports presented to the Council, that a violation of Guinea's territorial integrity by Portugal had actually occurred. Consequently, his delegation would vote in favour of the draft resolution, even though it had reservations concerning the fourth preambular paragraph, which referred to Portugal's general policy rather than the specific complaints brought to the Council by Guinea.

633. The representative of China said that the data presented to the Council was insufficient to warrant a judgement. He wished to make it clear that China had

a firm and long-standing opposition to colonialism. But, he explained, the Council was dealing with a specific complaint rather than with colonialism as such. Hence, his delegation would abstain from the vote. He added that his Government hoped that Portugal would march with the spirit of the times and provide the inhabitants of Angola, Mozambique and Guinea (Bissau) with the opportunity to express their wishes freely.

634. The Council then proceeded to vote on the five-Power draft resolution (S/9574).

Decision: *At the 1526th meeting, on 22 December 1969, the draft resolution was adopted by 9 votes to none, with 6 abstentions (China, Colombia, France, Spain, the United Kingdom and the United States), as resolution 275 (1969).*

635. In a statement after the vote, the representative of Portugal recorded his delegation's reservations with regard to the resolution, which, he said, was patently one-sided and unwarranted by the facts available to the Council. He quoted from a statement made by the Portuguese Prime Minister on 17 December 1969 to the effect that the United Nations paid no heed to Portugal's legitimate right to self-defence, to its requests for on-the-spot investigation before decisions were taken and to its complaints, supported by facts and documents; whereas any complaint brought against Portugal by an African country was certain to elicit censure and condemnation of Portugal. His delegation wondered whether, in the circumstances, it was worthwhile for Portugal to continue participating in such meetings, in which decisions were taken before the debate had taken place.

636. The representative of Guinea stated that the resolution was completely satisfactory to his delegation. Beyond its condemnations was the reaffirmation of General Assembly resolution 1514 (XV) on the granting of independence to colonial countries and peoples. He appealed again to Portugal, to listen to reason, to enter into a dialogue with the freedom-fighters and to heed the voice of the African peoples, whose only wish was for their independence and freedom.

637. On 23 December 1969, document S/RES/275 (1969)/Corr.1 was circulated, correcting the date in paragraph 3 of the resolution to 26 March 1968.

Chapter 9

THE QUESTION OF BAHRAIN

A. Communications received by the Security Council and requests for a meeting

638. By a note dated 28 March 1970 (S/9726), the Secretary-General informed the members of the Security Council that, in response to requests by the Governments of Iran and the United Kingdom and following extended consultations with the two parties, he had agreed to exercise his good offices in a matter pertaining to Bahrain. In agreeing to that, he had in mind that such action by the Secretary-General, at the request of Member States, had become customary in United Nations practice and in certain situations had proved to be a valuable means of relieving and preventing tension which could otherwise be prolonged or aggravated by premature disclosure and public debate.

639. The note contained the text of an announcement issued by the Secretary-General, after consultation with the parties, in which the Secretary-General outlined the events leading to his decision to exercise his good offices and quoted the terms of reference agreed upon by the Governments of Iran and the United Kingdom as follows: "Having regard to the problem created by the differing views of the parties concerned about the status of Bahrain and the need to find a solution to this problem in order to create an atmosphere of tranquillity, stability and friendliness throughout the area, the Secretary-General of the United Nations is requested by the parties concerned to send a personal representative to ascertain the wishes of the people of Bahrain". The announcement went on to state that, following consultations with the parties,

the Secretary-General had designated Mr. Vittorio Winspeare Guicciardi, Under-Secretary-General and Director-General of the United Nations Office at Geneva, as his personal representative. It also indicated that it had been agreed that all costs of the mission would be borne by the parties. The Secretary-General had been assured that the people of Bahrain would have ready and full access to his personal representative and would be enabled to express their wishes to him freely and privately. The personal representative was to submit his findings in a report to the Secretary-General, who would, in turn, as agreed by the parties concerned, transmit them to the Security Council for its consideration and endorsement.

640. By a letter dated 3 April addressed to the President of the Security Council (S/9737), the Permanent Representative of the Union of Soviet Socialist Republics transmitted the text of a note verbale dated 2 April addressed to the Secretary-General, in which the Permanent Mission of the Union of Soviet Socialist Republics to the United Nations drew attention to the fact that the Secretary-General had considered it possible to communicate information to the members of the Security Council on an *ex post facto* basis, without consulting the members of the Council beforehand, concerning the adoption of measures in connexion with the problem of Bahrain, which related to a type of situation that could lead to complications in international relations. The Permanent Mission considered it necessary to emphasize once again that under the United Nations Charter, decisions on matters connected with action by the United Nations relating to the maintenance of international peace and security should be taken by the Security Council.

641. In his reply of 4 April, transmitted to the Security Council by a letter dated 6 April (S/9738), the Secretary-General stated that although he fully understood the views of the Permanent Mission of the USSR, he had found himself at variance with some aspects of those views on the subject of the exercise of good offices by the Secretary-General. In that regard, the Secretary-General's position had been set forth in his letter dated 7 March 1969 to the President of the Security Council (S/9055). However, the Secretary-General felt that it might be useful to call attention to one aspect of the question. From time to time, States Members of the United Nations approached the Secretary-General directly, asking for the exercise of his good offices on a delicate matter. They explained that they did so because they felt that a difference between them might be capable of an amicable solution if dealt with at an early stage quietly and diplomatically and that, therefore, it would be inadvisable to take the particular matter before the Security Council or to consult its members individually. In all such cases, the Secretary-General examined the proposals carefully and if they were fully consistent with the purposes and principles of the United Nations Charter and in no way impinging upon the authority of the Security Council or any other organ of the United Nations, he felt obligated to assist Member States in the manner requested. To do otherwise would be to thwart a commendable effort by Member States to abide by a cardinal principle of the Organization, namely, the peaceful settlement of disputes. The good offices mission in Bahrain, the Secretary-General continued, entailed only fact-finding, and a report thereon would be presented to the Council in due course, so that any substantive action would be taken at that time and only by the Security Council.

642. In a note dated 30 April (S/9772) transmitting to the Security Council the report of his personal representative, the Secretary-General recalled that the Governments of Iran and the United Kingdom had undertaken to accept the results of his findings after, and subject to, their endorsement by the Security Council. The Secretary-General indicated that with the submission of his personal representative's report, his responsibilities in the exercise of his good offices with regard to Bahrain had been fully discharged.

643. In his report, the personal representative, who arrived in Bahrain on 30 March 1970 and, having completed his mission, returned to Geneva on 18 April, set forth his terms of reference, gave the background of the question, described the manner in which consultations with individuals and organizations in Bahrain had been held and outlined his findings. The personal representative stated that he was confident that the methods followed had been appropriate and sufficient to ascertain the wishes of the people of Bahrain on the question at issue. He believed that the total number of persons whose views had been presented to him had been adequate. Ready and free access had been assured at all times, and all consultations had taken place in private. To the best of his knowledge, no one had been intimidated, influenced or prevented from communicating with the mission. The inquiry had been conducted throughout in a peaceful and orderly manner.

644. In conclusion, the personal representative stated that his consultations had convinced him that the overwhelming majority of the people of Bahrain wished to gain recognition of their identity in a fully independent and sovereign State, free to decide for itself its relations with other States.

645. By a letter dated 4 May (S/9779) addressed to the President of the Security Council, the representative of Iran requested a meeting of the Security Council to consider the Secretary-General's report. A similar request was received from the representative of the United Kingdom on 5 May (S/9783).

B. Consideration at the 1536th meeting (11 May 1970)

646. At its 1536th meeting on 11 May, the Security Council included the item on its agenda and, at their request, invited the representatives of Iran, Pakistan and Southern Yemen to participate in the discussion without the right to vote.

647. At the outset of the meeting, the President drew attention to document S/9772, which contained the text of a draft resolution formulated as a result of consultation by the Council members prior to the meeting. The draft resolution reads as follows:

"The Security Council,

"Noting the communication from the Secretary-General to the Security Council of 28 March 1970,

"Noting the statements made by the representatives of Iran and the United Kingdom of Great Britain and Northern Ireland in their letters to the Secretary-General of 9 March 1970 and 20 March 1970, respectively,

"1. Endorses the report of the Personal Representative of the Secretary-General which has been circulated to the Security Council, under cover of a note from the Secretary-General, on 30 April 1970;

"2. Welcomes the conclusions and findings of the report, in particular that 'the overwhelming majority of the people of Bahrain wish to gain recognition of their identity in a fully independent and sovereign State free to decide for itself its relations with other States'."

Decision: *At the 1536th meeting, on 11 May 1970, the draft resolution was adopted unanimously, as resolution 278 (1970).*

648. The representative of Iran stated that with the decision taken by the Council the long-standing dispute between Iran and the United Kingdom had come to an end, both sides having agreed to defer to the wishes of the inhabitants of Bahrain as ascertained by the Secretary-General, if his findings were endorsed by the Security Council. The reduction of tension and the peaceful adjustment of an international difference would be welcomed by all who cherished the principles of the Charter. The Security Council, he continued, had endorsed the Secretary-General's report, and Iran was abiding by that outcome and was certain that the basic human rights of persons of Iranian origin would be fully respected and safeguarded.

649. The representative of the United Kingdom referred to the agreement reached on Bahrain as a classic example of how disputes could be settled peacefully. A deeply rooted dispute, which could have led to suspicion, mistrust and perhaps disruption, to the detriment of the people directly concerned, had been peacefully settled, thanks to a number of convergent favourable factors. He praised the Secretary-General, the Shah of Iran and the people of Bahrain. He also paid tribute to the Secretary-General's personal representative for the thoroughness of his inquiries and the fairness of his conclusions.

650. The representative of Syria said that the sooner the recommendations of the Secretary-General's personal representative were put into effect the better; the people of Bahrain were experiencing the national awakening characteristic of all parts of the region and they should take their place in that process. He contrasted Bahrain's situation to that of Muscat and Oman, which, he said, had stagnated because of the refusal of the United Kingdom to abide by United Nations resolutions and grant the Omani people their freedom and independence.

651. The representative of the United States welcomed the Council's action and congratulated the parties concerned for their initiative and the Secretary-General for his efforts. The Council had served well the obligation not to be found wanting when recourse was had to the processes of peaceful accommodation. It had fulfilled the hopes of the people of Bahrain and of the inhabitants of the Gulf region. In a wider sense, it could only enhance the image of the United Nations as a force for peace and thus strengthen the hopes for the peaceful resolution of other disputes afflicting the world.

652. The representative of Spain stated that the intervention of the Secretary-General to solve disputes between States was acceptable in that it involved the use of good offices by an eminently qualified person. His delegation felt that the Council should have confined itself to taking note of the Secretary-General's conclusions. Inasmuch as all the parties concerned agreed without reservations concerning the conclusions of the Secretary-General, his delegation had no objections either but wished its vote to be interpreted in the light of the special nature of the case.

653. The representative of Nicaragua said that his Government wished every possible success to the people of Bahrain and would welcome it as a Member of the United Nations.

654. The representative of the Union of Soviet Socialist Republics stated that, regarding the procedure followed in the action undertaken by the Secretary-General, his Government adhered to the position set forth in its note of 2 April to the Secretary-General (S/9737). With regard to the substance of the question under discussion, he pointed out that the Soviet Union had always favoured the implementation of the principles of self-determination, freedom and national independence of countries and nations under colonial domination, or in colonial or semi-colonial dependence on imperialism. The aspirations of the people of Bahrain were a clear demonstration of the success of the struggle of the peoples of the Middle East for national freedom and the strengthening of their independence against the policies and designs of imperialism and its agencies in the area to preserve the domination by imperialism over the peoples by all possible means and subject them directly to neo-colonialism. The Soviet Union firmly supported the just demand of the people of Bahrain for complete independence and sovereignty. Hopefully, Bahrain would become a fully independent and sovereign State forthwith.

655. The representative of Colombia stated that his delegation had voted for the resolution because it felt that any solution of the problem should be in accordance with justice and the right of the peoples to self-determination and should represent the constructive and cordial will of the parties concerned.

656. The representative of Sierra Leone praised the Secretary-General for his efforts and expressed satisfaction with the report. He congratulated the people of Bahrain for gaining their independence and expressed the hope that they would have racial harmony.

657. The representative of Poland said that for decades imperialism had aimed at consolidating the political subjugation, economic exploitation and military and strategic use of the region of the Arabian Peninsula, and had opposed the aspirations of its peoples to freedom and independence. However, the historic process of liberation from colonialism and the achievement of the peoples' right to self-determination had enveloped that region too, under the influence of the struggle for independence carried out by other peoples of the Arab world. The liquidation of imperialist domination and control in that region could be assured only through the realization of the aspirations for freedom and independence of the peoples hitherto dependent, and through co-operation among all the peoples of the region. Such a result would also contribute to international peace and security. Guided by that principle, the Polish delegation supported the aspirations of the peoples of Bahrain for independence and sovereignty and favoured their prompt fulfilment, in the hope that that would contribute to the freedom, progress and peaceful co-operation of the peoples of that region in an atmosphere totally free from colonialist influence and beneficial to international peace and security.

658. The representative of Zambia stated that his delegation had voted for the resolution because, in its view, the report of the Secretary-General reflected the desire of the people of Bahrain to determine their own destiny. His delegation supported the right of all peoples to determine their own destiny and hoped that

one day the Security Council would escape the threat of the veto, so that the peoples of Southern Rhodesia, Namibia, South Africa, Angola, Mozambique, Guinea (Bissau) and all other dependent peoples could decide their own destinies.

659. The representative of Nepal said that by submitting the problem to the good offices of the Secretary-General and by accepting the results of his findings, the Governments of Iran and the United Kingdom had shown their faith in the principle of peaceful settlement. By agreeing to exercise his good offices in the matter, the Secretary-General had acted in the best tradition of the United Nations. He expressed the hope that the office of the Secretary-General as an instrument for the peaceful solution of disputes would be strengthened and that Member States would increasingly resort to it to settle their differences. He supported the findings of the Secretary-General's personal representative.

660. The representative of China said that the findings of the Secretary-General's personal representative deserved the unanimous support and endorsement of the Council. All Governments should emulate the spirit of conciliation and goodwill of the parties.

661. The representative of Finland said that the Council's action was an example of the constructive role of the United Nations in contributing to a peaceful change in international relations. He congratulated Iran and the United Kingdom, as well as the Secretary-General and his personal representative, for their joint efforts to settle the dispute and remove a possible source of friction and danger.

662. The representative of Southern Yemen stated that his delegation wished to reaffirm its position that Bahrain, as an integral part of the Arabian Gulf, was and would continue to be an Arab country. He was gratified that the report reaffirmed the Arab character and identity of Bahrain. Continuing, the representative of Southern Yemen said that the capitalist States had enormous economic and strategic interests in the region and, together with their local agents, would try to continue their inhuman exploitation of the Arab masses

but that the progressive forces would prevail. The time had come for the United Nations to implement its resolutions on Muscat and Oman, as British withdrawal from the region would be incomplete without withdrawal from Muscat and Oman.

663. The representative of Pakistan said that his Government had always believed that the views of peoples in such situations must be determined by an impartial procedure without pressure or intimidation. Procedures for consulting popular opinion could depend on individual circumstances as long as they were impartial and under the aegis of the United Nations. In the case of Bahrain, there was no doubt that the conclusions reached by the good office mission were the same as those which would have been reached by a plebiscite. His delegation looked forward to the emergence of Bahrain as a fully sovereign Arab State.

664. The President, speaking as the representative of France, stated that the results accomplished were within the spirit of the United Nations Charter, which required that Member States seek peaceful solution to their disputes and provided, under Article 33 (1), that they could use any peaceful means they chose. Peace had been consolidated in an area where it was particularly vulnerable. As for the procedure followed, his delegation saw no reason why one could not depart from customary means, since the Council had the final say in considering and endorsing the conclusions of the inquiry. However, sounding out public opinion could not have the legal value of a democratic consultation, and it was justified in the case under discussion only in view of the objective achieved; the purpose had not been to decide the future of Bahrain, but merely to determine the general feeling of the population with a view to settling the dispute.

665. Before the end of the meeting the representative of the United Kingdom, Lord Caradon, in the course of a short statement, read out a poem which he had written. The President of the Council then concluded the meeting by expressing his satisfaction with the solution reached of the delicate and difficult question of Bahrain.

Part II

OTHER MATTERS CONSIDERED BY THE COUNCIL

Chapter 10

LETTER DATED 18 AUGUST 1969 ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL BY THE REPRESENTATIVE OF THE UNITED STATES (S/9397)

A. Request for a meeting

666. In a letter dated 18 August 1969 addressed to the President of the Security Council (S/9397), the representative of the United States requested an early meeting of the Council to consider his delegation's proposal that the Secretary-General should be requested by the Security Council to inscribe an item entitled "Creation of a category of associate membership" on the provisional agenda of the General Assembly at its twenty-fourth session.

B. Consideration at the 1505th and 1506th meetings (27 and 29 August 1969)

667. At its 1505th meeting, on 27 August, the Council included the United States letter in its agenda.

668. At the same meeting, the representative of the United States stated that it had requested the meeting to deal with the situation arising from a growing number of small, independent States that might seek to become Members of the United Nations. The solution was to devise alternative methods for associating these "micro-States" with the United Nations in a manner that would assure them of its benefits without imposing upon them burdens they could not bear. In essence, the idea was to give these very small States a status within the United Nations family that would respond to their needs and rights without undermining the authority and effectiveness of the United Nations. In that respect, the United States delegation had welcomed the initiative of the Secretary-General when, in the introduction to his annual report for 1965, he had drawn attention to the phenomena of the emergence of exceptionally small States and had suggested that the time had come when Member States might wish to examine more closely the criteria for the admission of new Members in the light of the long-term implications of that development. Later, in 1967, the Secretary-General, after pointing out that full membership in the United Nations might impose obligations too onerous for the micro-States and might also lead to weakening the United Nations itself, had suggested that competent organs might undertake a thorough and comprehensive study of the criteria for membership in the United Nations, with a view to laying down the necessary limitations on full membership and, at the same time, defining other forms of association that would benefit both the micro-States and the United Nations. Following the Secretary-General's initiative, the United States representative had formally proposed action in the Council on that

subject. The importance of taking action would become evident when one considered that there were a total of about fifty dependent Territories, each of which had a population of less than 100,000. In addition, there were about fifteen somewhat larger Territories, which could not necessarily be considered micro-States but which had a combined total population of about 4.5 million people. If those Territories were added to the existing membership, they would comprise one third of the votes in a General Assembly of about 190 Members, while comprising only 2 per cent of the total population of the membership. At the same time, the limited resources of small States would make it almost impossible for them to bear the heavy burden of commitments that United Nations membership entailed in money and qualified manpower. The solution to the problem, therefore, lay in the creation of a new status of association with the United Nations, which might be called "associate membership" and would entitle the small, newly independent States certain of the benefits and privileges of the United Nations system appropriate to their independence. However, States enjoying the new category of membership would in no way be precluded in the future from applying for full membership if they so desired. Status of associate membership might be created by the General Assembly, which would also define the duties, privileges and benefits devolving upon such membership. Such an act by the Assembly was within its general powers as set forth in Articles 10 and 11 of the Charter, as well as its power over its own rules of procedure as set forth in Article 21. In addition to the General Assembly, which would have the prime responsibility in establishing such a new category of membership, the Security Council, having co-responsibility in the question of admission of new Members, should take initiative in placing that matter before the Assembly. It was for that reason that the United States was proposing the following draft resolution (S/9414):

"The Security Council,

"Bearing in mind that membership in the United Nations is open to all peace-loving States which accept the obligations contained in the Charter and which are able and willing to carry out these obligations,

"Further bearing in mind the increasing emergence of States so small that they would be unable to carry out the obligations of full membership,

"Desirous of ensuring that all such States should nevertheless be able to associate themselves with the United Nations in order to further the principles and

purposes of the Organization and derive benefits from such association,

"Requests the Secretary-General to inscribe on the provisional agenda of the twenty-fourth session of the General Assembly an item entitled 'Creation of a category of associate membership'."

669. Besides recommending the adoption of the above draft resolution, the representative of the United States said that his delegation would also propose that, in order to facilitate the General Assembly's consideration of this question, the Security Council should establish a committee of experts to examine the question and report the results of its study and its recommendations to the Council within two months so that the Council could, in turn, make its own recommendations to the twenty-fourth session of the General Assembly.

670. The representative of the Union of Soviet Socialist Republics said that as a result of the progress of the process of decolonization, a large number of States had emerged which were once part of the colonial empires. The United States was proposing that the Security Council should discuss the question of the relationship between those emerging small States and the United Nations. That question was very complex and required serious and thorough study. The Soviet delegation, therefore, would support the United States proposal that a committee of experts of the Security Council should be established to study the question of associate membership in the United Nations and to submit appropriate recommendations to the Council. Without such careful study of the question, it would be premature and unwarranted for the Security Council to request the Secretary-General to place the question before the General Assembly at its twenty-fourth session.

671. The representative of the United Kingdom said that his delegation welcomed the initiative of the United States in raising a question of considerable importance to the United Nations. It was a question on which the widest measure of general agreement had to be sought and one that required further consideration by the members of the Council. Although his delegation would agree to the proposal that the Secretary-General should be requested to place the question before the General Assembly, it believed that it would be unwise to prejudge the issue by the terms used in that reference to the General Assembly. It might, therefore, be necessary to hold informal discussions among the Council members to reach agreement on the description of the item that the Council might wish to refer to the General Assembly. Similar discussions might also be held to revise the United States draft resolution. The relationship of the United Nations to small States, and to Territories that were still dependent, must be a positive one and must take into account their special needs and aspirations. The options open to small States must not be unduly limited; nor should commitments and obligations beyond their capacity be forced upon them. Discussions in the Council and, later, in the wider forum of the General Assembly should proceed in line with those considerations and should be governed by the principles of the Charter and the interests of the peoples most directly concerned.

672. The representative of Finland said that his delegation welcomed the initiative of the United States in submitting a question to the Council that many believed was long overdue for consideration. In many ways the majority of the very small Territories about

to achieve independence were a part of the colonial system and would, in essence, be creations of the United Nations itself as a result of the policies pursued by it under Chapter XII of the Charter. Consequently, those Territories were entitled to special concern and consideration from the United Nations. The relationship between those micro-States and the United Nations and international organizations should proceed from the basis of their particular needs and interests, particularly in matters concerning security and development. The Secretary-General, he continued, had also emphasized that, as members of the international community, micro-States were entitled to expect full guarantee for their security and territorial integrity and their full participation in international assistance for development. His delegation hoped that the study of the relationship of the micro-States to the United Nations would be based on those considerations and would lead to results beneficial to them as well as to the United Nations.

673. The representative of France said that the legal and political aspects inherent in any modification in the conditions for admission to membership in the United Nations raised important and delicate questions affecting the very foundations of the Organization. The fact remained that the principle of the sovereign equality of States granted the right to any territorial entity recognized as the State to become a Member of the United Nations, if it fulfilled the conditions laid down in Article 4 of the Charter. The Security Council and the General Assembly also had a discretionary power to judge whether a State requesting admission was able to fulfil all the obligations imposed by the Charter. The Security Council had to take into account the fact that the creation of a particular status of membership would, of necessity, lead to a substantive modification of the Charter. Consequently, the French delegation considered it desirable that, prior to taking any decision in that respect, the Security Council should entrust to a committee of experts the task of undertaking a thorough study of the question.

674. The President, after pointing out that the United States had submitted two proposals, one of which concerned the inscription of the question on the agenda of the General Assembly, said that objection had been taken to that proposal and that he would therefore suggest that the Council consider, for the time being, the other proposal, namely, the establishment of a committee of experts. The representative of the United States said that his delegation would concur with the suggestion made by the President, and that procedure was then agreed to by the Council.

675. At the 1506th meeting of the Council on 29 August, the representative of Hungary stated that his delegation supported the proposal of the United States to establish an expert group of the Security Council to study the problem of micro-States. All aspects of the problem needed to be properly discussed and analysed. His delegation, however, was not in favour of requesting the Secretary-General, in the name of the Security Council, to place the question before the twenty-fourth session of the General Assembly, as it would commit members of the Council to a course of action prior to its consideration by the proposed committee of experts. He also wished to make it clear that his delegation believed that the creation of a special category of membership would amount to a revision of the Charter, and Member States would have to take that fact into account.

676. The representative of Nepal stated that the question under consideration required a careful and thorough study in all its aspects. His delegation was in agreement with the United States proposal to refer the matter to a committee of experts of the Security Council. However, he agreed with the representative of France that any change in the conditions for membership would lead to a substantive modification of the Charter. His delegation could not agree with the assumption that increase in the membership of the United Nations as a result of the emergence of micro-States would inevitably lead to weakening the Organization. Nothing contained in the Charter should be construed as limiting the right of independent States to apply for membership in the United Nations. That sovereign right of independent States and the principle of universality had to be kept in view while considering a new category of membership in the Organization. His delegation was prepared to join in the proposed study in order to devise a beneficial system of association between the United Nations and new small States that for various reasons chose not to become Members of the Organization; but that did not necessarily mean that it was definitely committed to the idea of laying down any limitations or conditions for membership other than those already contained in Article 4 of the Charter. His delegation believed that a useful first step would be to define the areas of mutual association and co-operation that already existed between the United Nations and States which were not Members of the Organization and, at the same time, to extend those areas and seek new ones without violating the fundamental principles and purposes of the Charter.

677. The representative of Algeria stated that one of the basic elements of the United Nations Charter was the principle of sovereign equality of States and that seeking membership in the United Nations still remained one of the prerogatives of the national sovereignty of each State. The United Nations, in accordance with Article 4, however, had the right to examine the case of each State applying for membership. The political and juridical elements involved in the question of establishing relationship between the United Nations and very small States were extremely complex and, therefore, should be submitted to a committee of experts of the Security Council which would be entrusted with the task of carrying out a careful and thorough study of all the aspects of this question and reporting to the Council at a later date.

678. The representative of Pakistan stated that his delegation appreciated the foresight and the efforts of the Secretary-General in drawing the attention of the Members of the United Nations to the question of micro-States and welcomed the initiative of the United States delegation in submitting it to the Security Council. His delegation had followed with great interest the statements so far made and, in particular, appreciated the emphasis that the United Kingdom representative had placed on the importance of meeting the needs of small States for economic development and their aspirations to security. However, for the time being, it would reserve its position on the substance of the question until a Security Council committee of experts was able to consider it fully. His delegation was, therefore, ready to support the proposal to establish such a committee and to refer the question to it for consideration.

679. The representative of Senegal stated that the United Nations should not impose new criteria for the admission of newly independent States. Those States should be allowed to avail themselves of the freedom and the right to apply for membership in the Organization in accordance with Article 4 of the Charter. His delegation was, therefore, opposed to any idea of a new criteria of membership. The introduction of changes in conditions for admission might raise difficult problems and involve an amendment of the Charter. His delegation believed that it would be suitable first to submit the problem to a competent body of the United Nations for a thorough study. Following that, the Security Council could meet again and recommend placing the item on the agenda of the General Assembly, which would have the final say on the substance of the question.

680. The representative of Paraguay stated that his delegation believed that the different aspects of the question of micro-States should be studied by an expert group of the Security Council, where all members of the Council would be able to express their views in order to find a common ground. He wished it known, however, that his statement in no way implied a judgement on the substance of the question under reference.

681. The representative of Colombia stated that his delegation was in favour of establishing a committee of experts of the Security Council to study the question in all its aspects. The question had so many legal and political implications that his delegation could not commit itself to any stand other than expressing its view that a comprehensive study of the problem should be made.

682. The representative of China stated that his delegation considered that there was merit in the United States proposal that a new category of associate membership should be created in the United Nations to enable very small States to play a role in the international community without being burdened by the responsibilities of full membership. It must be remembered, however, that most small Territories, which might soon emerge as independent States, were part of the colonial system. For them, full membership of the United Nations, as an equal and sovereign State, was the process through which their nationalism was converted into nationhood. It therefore seemed to his delegation that the conditions of membership laid down in Article 4 of the Charter, if strictly applied, should be adequate to deal with the question of micro-States. That problem had arisen precisely because the Charter conditions for membership had not always been strictly applied. It was, nevertheless, an important and delicate problem that required further study. The most practical procedure would be to entrust it to a committee of experts, which appeared to be the consensus of the Council.

683. The President, speaking as the representative of Spain, stated that the study to be carried out by the committee of experts of the Security Council should relate exclusively to the future relationship with the United Nations that might be offered independent and sovereign States on whose meagre resources active participation as full members could be an excessive burden. A committee of experts, however, would have to bear in mind that any decision reached would constitute only a choice or option offered to the sovereign State. There should be no doubt regarding the meaning and scope of the principle of sovereign

equality of States, which gave all independent States the right to apply for membership in the United Nations. His delegation, however, shared the concern of the United States delegation regarding the problem that might arise by the possibility of admitting to membership a large number of States with very small territories and limited resources. It was, therefore, appropriate to study thoroughly all the legal, political and economic implications of the question in order to arrive at solutions that would be beneficial both to the United Nations and to States that might aspire to membership in the Organization. However, the Council was not in a position to base itself on criteria other than that already set forth in Article 4 of the Charter which laid down the necessary and sufficient conditions for the admission of new Members. It was not for the Council to judge whether a certain State should be debarred from membership, for economic or other similar reasons which were not mentioned in Article 4. To take such a step, a modification of the Charter would be necessary.

Decision: At the conclusion of the 1506th meeting, on 29 August, the President made a statement on the decision of the Security Council, after consultations, that there was no objection to the establishment of a committee of experts, consisting of all members of the Security Council, to study the question which was examined at the 1505th and 1506th meetings.

C. Report of the Committee of Experts

684. On 15 June, the Committee of Experts submitted an interim report (S/9836) to the Security

Council, stating that during its meetings, held between 12 September 1969 and 10 June 1970, it had discussed the question considered by the Security Council at its 1505th and 1506th meetings. The Committee had heard an elucidation by the representative of the United States of his delegation's proposal concerning the creation of a category of "associate membership" or "associate status". The text of the United States proposal was annexed to the report. The Committee also had heard a suggestion by the representative of France to reactivate the Committee on the Admission of New Members established by the Security Council in accordance with rule 59 of its provisional rules of procedure, and a statement by the representative of the United Kingdom submitting a working paper setting out as a detailed proposal his delegation's suggestions with regard to a special arrangement which might meet the needs of small States, the text of which was also annexed to the report of the Committee. Preliminary exchanges of views were also held concerning the legal nature, the applicability and the implications of the proposals that had been put forward in the Committee. The report noted that no conclusions had yet been reached or recommendations made by the Committee concerning those proposals.

685. The report stated that, inasmuch as a number of its members had not yet made their statements on the substantive aspects of the question, the Committee was not in a position to formulate specific recommendations and to submit them to the Security Council. The report concluded by stating that the Committee would continue its work in accordance with its terms of reference and submit a further report at a later stage.

Chapter 11

INTERNATIONAL COURT OF JUSTICE

A. Participation of States not Members of the United Nations but parties to the Statute of the International Court of Justice in the amendment of the Statute

686. In a letter dated 23 September 1969, the President of the General Assembly drew the attention of the Security Council to the fact that the General Assembly had included in the agenda for its twenty-fourth session an item entitled "Amendment to Article 22 of the Statute of the International Court of Justice (Seat of the Court) and consequential amendments to Articles 23 and 28". In view of that decision, the letter stated, the Security Council might wish to recommend to the General Assembly for adoption provisions concerning the participation of States which were parties to the Statute but were not Members of the United Nations in the procedure for effecting amendments to the Statute. On 5 October, the President of the Security Council issued a note (S/9462) stating that after consultation with his predecessor, he was circulating the letter from the President of the General Assembly for the information of the members of the Security Council and would consult them about an early meeting to deal with the question.

687. The Security Council included the letter from the President of the General Assembly in its agenda without objection at its 1514th meeting on 23 October. In the opening statement, the President said that

a draft resolution had been circulated to the members of the Council, the last paragraph of which, after further consultations, had been amended.

688. The representative of the Union of Soviet Socialist Republics stated that since operative paragraph 2 of the draft resolution clearly reflected the important provisions of Article 69 of the Statute and of Article 108 of the Charter, his delegation considered that the Security Council should adopt the resolution. In that context, the representative of the USSR drew the attention of the Security Council to the continuing discriminatory practice against several sovereign socialist States. He said that the formula which limited the number of States that could take part in activities under the aegis of the United Nations only to States Members of the United Nations, members of the specialized agencies, the IAEA and parties to the Statute of the International Court of Justice was contrary to the spirit of the United Nations Charter and ran counter to the principle of universality of the Organization, and made it possible for States not Members of the United Nations, such as the Federal Republic of Germany, South Korea and even South Viet-Nam, to participate in United Nations activities, at the same time that it prevented socialist States, such as the German Democratic Republic, the Democratic People's Republic of Korea and the Democratic Republic of Viet-Nam, from taking part in those activities.

689. The representative of France, referring to the final draft of the resolution which had been circulated, stated that since the new formulation met with the agreement of all, he was prepared to consent to it.

690. The representative of the United States of America also stated that his delegation was in agreement with the slight modification of the draft resolution which had been circulated.

691. The representatives of France, the United States and the President of the Security Council, in his capacity as representative of the United Kingdom, reserved their right to comment on the issue raised by the representative of the USSR, which, they said, was not on the agenda of the Council.

Decision: At the 1514th meeting, on 23 October 1969, the draft resolution which had been circulated following consultations was adopted unanimously, as resolution 272 (1969). It read as follows:

"The Security Council,

"Noting that the General Assembly has included in the agenda of its twenty-fourth regular session an item relating to the amendment of the Statute of the International Court of Justice,

"Recalling that, under Article 69 of the Statute of the International Court of Justice, the Security Council may recommend to the General Assembly for adoption provisions concerning the participation of States which are parties to the Statute, but are not Members of the United Nations, in the procedure for effecting amendments to the Statute,

"Recommends to the General Assembly the adoption of the following provisions concerning such participation:

"(a) A State which is a party to the Statute of the International Court of Justice, but is not a Member of the United Nations, may participate in the General Assembly in regard to amendments to the Statute in the same manner as the Members of the United Nations;

"(b) Amendments to the Statute of the International Court of Justice shall come into force for all States which are parties to the Statute when they have been adopted by a vote of two thirds of the States which are parties to the Statute and rati-

fied in accordance with their respective constitutional processes by two thirds of the States which are parties to the Statute and in accordance with the provisions of Article 69 of the Statute and Article 108 of the Charter of the United Nations."

B. Election of five members of the International Court of Justice

692. In accordance with Article 7 of the Statute of the International Court of Justice, the Secretary-General transmitted to the General Assembly and the Security Council on 14 August 1969 the list of candidates nominated by national groups (S/9354) for the election of five members to fill the vacancies in the Court which would occur on 5 February 1970 upon the expiry of the term of office of five judges.

693. At its 1515th meeting, on 27 October, the Security Council proceeded to vote by secret ballot on the candidates included in the list (S/9354 and Add.1/Rev.1 and Add.2-4). On the first ballot, the following four candidates received the required absolute majority votes;

Mr. Hardy C. Dillard (United States of America)—12 votes;

Mr. Eduardo Jiménez de Aréchaga (Uruguay)—12 votes;

Mr. Platon D. Morozov (Union of Soviet Socialist Republics)—11 votes;

Mr. Federico de Castro (Spain)—10 votes.

694. The Security Council then continued voting by secret ballot. On the sixth ballot, Mr. Louis Ignacio Pinto (Dahomey) was elected to the fifth seat, having received 9 votes.

695. The President of the Security Council communicated to the President of the General Assembly the names of the five candidates who had received the required majority. Following a suspension of the meeting, the President informed the Council that in the balloting held simultaneously by the General Assembly, the same five candidates had obtained the required majority of votes and consequently been elected members of the International Court of Justice for a term of office of nine years, beginning on 6 February 1970.

Chapter 12

THE QUESTION OF INITIATING PERIODIC MEETINGS OF THE SECURITY COUNCIL IN ACCORDANCE WITH ARTICLE 28, PARAGRAPH 2, OF THE CHARTER

A. Communications received by the Security Council and request for a meeting

696. On 20 April 1970, the President of the Security Council, acting in his capacity as representative of Finland, circulated as a Council document (S/9759) a memorandum of the delegation of Finland on the question of initiating periodic meetings of the Security Council in accordance with Article 28, paragraph 2, of the Charter. The memorandum, after reviewing the historical background of Article 28, paragraph 2, of the Charter providing for periodic meetings of the Security Council, stated that during the entire history of the United Nations no periodic meetings of the Security Council had been held, despite the initiatives

taken by the three Secretaries-General of the Organization and certain General Assembly recommendations to activate that provision of the Charter. Having referred to some of the suggestions made on that question by Secretaries-General Trygve Lie and Dag Hammarskjöld, the memorandum pointed out that, so far, the most elaborate and detailed exposition of the desirability of periodic meetings of the Security Council was set forth by Secretary-General U Thant in the introduction to his annual report for the period 16 June 1966-15 June 1967 (A/6701/Add.1), in which the Secretary-General discussed in some detail a number of practical questions concerning the meetings, including their preparation, organization, agenda and publicity.

697 The Finnish memorandum stated that an analysis of previous initiatives or suggestions on the subject would tend to support the conclusion of Secretary-General U Thant "that previous efforts to implement the relevant provisions on periodic meetings of the Security Council failed not on their merits but on the basis of the prevailing atmosphere at the times when they were made". The memorandum also recalled that the question of periodic meetings had last been discussed at the twenty-fourth regular session of the General Assembly in connexion with the item on the strengthening of international security, proposed by the Union of Soviet Socialist Republics. The recommendation that the Security Council should consider the possibility of convening periodic meetings in accordance with Article 28, paragraph 2, had been part of the original proposal submitted by the USSR delegation. Resolution 2606 (XXIV), which the General Assembly adopted by acclamation on 16 December 1969, contained, in its preambular part, a reference to the question of periodic meetings of the Council.

698. Quoting from a statement made by the Finnish delegation in the General Assembly on 15 October 1969, during the discussion of the above item, the memorandum pointed out that the Council was intended to act as a supreme organ of a world-wide collective security system and to make decisions binding upon all members, a supranational authority over all but its permanent members. Yet too often during the past quarter century the Council had been reduced to sterile debate or had been completely bypassed by events. The effective functioning of the Security Council, and of the whole system of collective security of the United Nations, presupposed a measure of common purpose among its members, particularly among the major Powers, which, during the period of the cold war, had been manifestly lacking. However, in recent years, the major Powers had shown a greater measure of willingness to work together for the preservation of peace, and the Council had been able, at least in some instances, to take action to contain conflicts which otherwise might have endangered international security. A further step in that direction could be taken by deciding to make use of the provisions of Article 28, paragraph 2, of the Charter.

699. In conclusion, the memorandum stated that, in accordance with its policy of strengthening the United Nations, the Finnish Government believed that it should now be possible to consider instituting periodic meetings of the Security Council as an important step towards making the United Nations more effective in maintaining international peace and security. Such a step would be particularly appropriate during the twenty-fifth anniversary of the Organization. Accordingly, the Finnish Government had decided to begin consultations with the other members of the Security Council on the question on the basis of the following suggestions:

(a) It would be agreed that periodic meetings of the Security Council should be regarded as a permanent institutional feature of the Organization and should, in principle, be held regularly;

(b) Periodic meetings under Article 28, paragraph 2, of the Charter and rule 4 of the provisional rules of the Security Council could be held twice a year, in the spring and autumn. The autumn meetings could be timed to take place in connexion with the presence of

Foreign Ministers in New York for the opening of the General Assembly;

(c) It would be understood that the meetings would provide an opportunity for a general exchange of views on the international situation, and thus not arise from any particular event or issue, and should not be expected to lead to decisions on substantive issues;

(d) The agenda of the meetings would be drawn up by the Secretary-General, in consultation with the members of the Council. It could normally consist of a single item—report of the Secretary-General on the international situation; and

(e) The meetings would normally be closed, unless otherwise decided.

700. By a letter dated 5 June 1970 addressed to the President of the Security Council (S/9824), the representative of Finland requested a meeting of the Council to consider the question of initiating periodic meetings of the Security Council in accordance with Article 28, paragraph 2, of the Charter.

B. Consideration at the 1544th meeting (12 June 1970)

701. At its 1544th meeting on 12 June 1970, the Security Council included the item in its agenda. The President then stated that, after consultations among the members of the Security Council, he had been authorized to make the following statement expressing the consensus of the Council:

"The members of the Security Council have considered the question of initiating periodic meetings in accordance with Article 28, paragraph 2, of the Charter. They consider that the holding of periodic meetings, at which each member of the Council would be represented by a member of the Government or by some other specially designated representative, could enhance the authority of the Security Council and make it a more effective instrument for the maintenance of international peace and security. As to the date and other practical aspects of the first such meeting, these will be considered later in consultations.

"It is understood that periodic meetings, the purpose of which would be to enable the Security Council to discharge more effectively its responsibilities under the Charter, would provide members with an opportunity for a general exchange of views on the international situation, rather than for dealing with any particular question, and that such meetings would normally be held in private, unless it is otherwise decided.

"The provisional agenda of periodic meetings shall be drawn up by the Secretary-General in consultation with the members of the Council and in accordance with the relevant provisions of the provisional rules of procedure."

Decision: *The statement as read by the President was approved by the Council without objection.*

702. At the same meeting, the representative of Finland declared that while it claimed no exclusive copyright of the idea, the interest his Government had taken in pursuing the question under consideration arose from its firm commitment to the United Nations as the primary instrument available to States for maintaining international peace and security. He stated that the

holding of periodic meetings could potentially contribute to making the United Nations what it was originally intended to be: a centre for international consultations on vital issues affecting world peace. The holding of periodic meetings at the ministerial level, especially once they became customary, would mean a qualitative improvement in the functioning of the Security Council. Such meetings would add a new dimension to the role of the Security Council as guardian of world peace, enabling it to take action in time to forestall conflict, instead of reacting to violent events. In addition, periodic meetings, once they became customary, would not only provide a forum for high-level consultations but would create a new channel of communication between the permanent and the elected members of the Council and thus help to bridge the power gap, which had been the subject of much discussion at the twenty-fourth session of the General Assembly. He realized that in the past the failure of the Council to direct events in the interests of maintaining peace and security had been due to lack of agreement on how to deal with the political issues which cause conflicts between nations. But at times the difficulties in the way of constructive international action had been compounded by the absence of established procedures for advance consultations between the Powers concerned. More imaginative use of the Security Council could remove such difficulties. Inasmuch as periodic meetings would provide members with an opportunity for a general exchange of views, rather than for dealing with any specific event or issue, they should not be expected necessarily to lead to decisions or resolutions, though, naturally, that would not be excluded. The full value of periodic meetings would emerge only when they were regarded as a permanent institutional feature of the Council. He hoped that agreement could be reached before long on the date for the first periodic meeting of the Council, which, he added, might take place during the forthcoming session of the General Assembly. The representative of Finland noted that the present state of international insecurity was an argument not against but for making every effort to strengthen and improve international machinery for making peace and keeping the peace. The decision to initiate periodic meetings of the Security Council was a modest measure in that direction.

703. The representative of France said that the time seemed ripe for reviving the dormant Charter provision for periodic meetings of the Council. His delegation considered that meetings at the ministerial level might prove useful for international co-operation, provided certain precautions were taken, such as agreement on the agenda beforehand by consensus and the holding of private meetings, which would facilitate wide-range discussions on specific subjects or on a report by the Secretary-General relating to the over-all international situation. Moreover, such a meeting would afford the Council an opportunity to mark appropriately the twenty-fifth anniversary of the United Nations. However, it would be in the light of the results of that meeting that it would be possible to decide whether to hold subsequent meetings; for, in the view of his delegation, it would be useless and even dangerous to meet for the sake of holding meetings of an academic nature outside the context of time and events.

704. The representative of Syria said that the crisis of the Council was the question of the application of justice and of ensuring implementation of its resolutions as reflecting the will of the international community.

The suggested meetings would not be a substitute for effective measures against Charter violations; nor would they uproot the ills of an international society plagued by imperialist expansion, the revival of racism and the prevalence of facts accomplished over the rules of law and justice. They might, however, serve as a catalyst; they might narrow national interests and deepen international co-operation. If developed, they might transform international law from a mere adjustment and juxtaposition of interests to an effective code of behavior binding on all. In the view of his delegation, improving the functions of the Council implied the restoration of the balance of membership as originally envisaged by the framers of the United Nations Charter.

705. The representative of Poland noted that his country had always been of the opinion that the provisions contained in the United Nations Charter, based on the principle of the peaceful co-existence of States with different social and political systems, were the fundamental premises for the maintenance and consolidation of international peace and security. This and the authority and prestige of the United Nations would be best secured if the present aggressive wars and other sources of international tension were effectively eliminated, the provisions of the Charter fully observed and the decisions of the United Nations strictly implemented. The consensus on periodic meetings of the Security Council in accordance with Article 28, paragraph 2, of the Charter, in this year of the twenty-fifth anniversary of the United Nations, was a step forward in fuller utilization of the Charter, and his delegation warmly welcomed and fully supported it.

706. The representative of Spain said the consensus offered many possibilities for the Council to fulfil the functions entrusted to it by the Charter. He hoped that the twenty-fifth anniversary session of the General Assembly would provide a good opportunity for holding the first meeting.

707. The representative of the United States said that the decision to hold periodic meetings was particularly fitting during the twenty-fifth anniversary. Although the current state of international affairs could hardly be described as ideally suited to thoughtful initiative designed to accomplish the longer-range goal of gradually building a sound foundation for peaceful change, a start should be made. The test would come during the periodic meetings themselves, in the quality of the preparation, a vital element, and in the statesmanship shown during the general exchange on the all-important problems under consideration. He added that it was his delegation's understanding that resolutions on individual items would not, as a general rule, be adopted at periodic meetings.

708. The representative of China expressed the hope that the consensus would be the first step towards strengthening the Security Council in its primary responsibility for the maintenance of international peace and security.

709. The representative of the United Kingdom said his delegation welcomed the indications that there might now be a wider measure of agreement on a number of issues. It hoped that mutual consultations among Council members would be strengthened if foreign ministers or other high-ranking representatives met from time to time for private and informal exchanges of view to explore common ground and seek to harmonize their attitudes and objectives. Such contacts could help to widen insight into one another's points of view and

help forestall difficulties. His Government would be interested to see how the first meeting developed, and his Foreign Secretary looked forward to participating in it.

710. The representative of the Union of Soviet Socialist Republics expressed satisfaction that the idea of periodic meetings, which had been part of the proposals on the strengthening of international security, had been unanimously supported by members of the Security Council. Periodic meetings, he added, would not in themselves guarantee a substantial improvement in the tense international situation; that would require concrete measures by the United Nations and by individual Member States. That had been the premise from which the Soviet Government proceeded when it submitted to the General Assembly a proposal on the strengthening of international security. Aggression and expansion and occupation of foreign territory were all dangerous phenomena in contemporary international relations and contributed to the deterioration of the international situation; and no United Nations formula could change the situation automatically. The periodic meeting of the Council was a good beginning towards the implemen-

tation of important and not yet fully exploited Charter possibilities relating to the competence and functioning of the Council and the enhancing of its role and effectiveness in strengthening international peace and security. The Soviet Union delegation supported the consensus on the subject of periodic meetings, on the understanding that the question of the date and other practical aspects of the first such meeting would be additionally agreed on, due account naturally being taken of the international situation at that time.

711. The President, speaking as the representative of Nepal, welcomed the consensus reached by the Council. As his delegation had pointed out during the debate at the General Assembly on the Soviet proposal on strengthening international security, the founders of the United Nations had envisaged the role of the Council, not as limited to action after the event but as a guide and leader of events. Periodic meetings to some extent could be useful. He reiterated the view of the Nepalese delegation that the Council, since 1949, had suffered a serious institutional weakness that had vitally affected its role as an effective instrument for international peace and security.

Part III

THE MILITARY STAFF COMMITTEE

Chapter 13

WORK OF THE MILITARY STAFF COMMITTEE

712. The Military Staff Committee functioned continuously under the draft rules of procedure during the period under review and held a total of twenty-three meetings without considering matters of substance.

Part IV

MATTERS BROUGHT TO THE ATTENTION OF THE SECURITY COUNCIL BUT NOT DISCUSSED IN THE COUNCIL DURING THE PERIOD COVERED

Chapter 14

THE QUESTION OF RACE CONFLICT IN SOUTH AFRICA RESULTING FROM THE POLICIES OF APARTHEID OF THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA

A. Report of 7 October 1969 from the Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa

713. Pursuant to General Assembly resolutions 1761 (XVII) and 1978 A (XVIII) requesting the Special Committee on the Policies of *Apartheid* of the Government of the Republic of South Africa to follow constantly the various aspects of the question of *apartheid* and to report to the General Assembly and the Security Council whenever necessary, the Special Committee submitted a report to the Security Council (S/9473) on 7 October 1969, in which it reviewed its work and developments in South Africa since its report of 4 October 1968 (S/8843) and made a number of recommendations.

714. The Committee's review of its work included an account of a special session that it had held at Headquarters on 17 and 18 March and a report on the mission of its Sub-Committee, which had visited Lusaka (Zambia), Dar es Salaam (United Republic of Tanzania) and Addis Ababa (Ethiopia) between 18 and 28 August to consult with representatives of the liberation movements of southern Africa, officials of the Organization of African Unity (OAU) and representatives of the Governments of the countries concerned.

715. In its conclusions, the Special Committee stated that the massive military build-up by South Africa was a grave threat to peace throughout the whole of southern Africa, inasmuch as it had emboldened South Africa to defy United Nations resolutions, to intervene militarily against the liberation movements in Southern Rhodesia, to assist Portugal in its colonial wars and to threaten independent African States. The Special Committee considered it essential to point out that South Africa had become the bastion of colonialism and racism in the area and the principal threat to peace and to the authority of the United Nations and to warn that urgent and decisive action by the international community was imperative in order to avert a major conflict in the area.

716. The Committee expressed its conviction that the lines of activity that it had advocated since its inception remained the most appropriate and effective courses of action to be pursued by the United Nations and the international community. Those lines of activity were (a) an embargo on arms to South Africa, economic sanctions and related measures against South Africa; (b) moral, political and material assistance

to the oppressed people of South Africa in their legitimate struggle for liberation; and (c) the dissemination of information to secure full understanding and support for the efforts directed towards the elimination of *apartheid*. The Committee felt that the United Nations and Member States could contribute most significantly to solution of the situation by providing effective material assistance to the oppressed people of the region in their legitimate struggle for liberation.

717. It recommended that the General Assembly should urge the Security Council to give immediate consideration to the question of *apartheid* and, as a matter of priority, to take effective measures to secure full implementation of the arms embargo against South Africa; to ensure that Governments terminate all loans and technical assistance that they or their private companies extend to the South African Government or South African companies; to promote moral, political and material assistance to the people of South Africa and their liberation movements, and to encourage States to implement the other measures recommended by the General Assembly in order to solve the situation.

718. The Special Committee finally pointed out that it was essential to emphasize that the policies and actions of the South African Government in Namibia and in neighbouring colonial Territories had aggravated the situation throughout the region and that it was therefore necessary to consider questions relating to South Africa, Namibia, Southern Rhodesia and the Portuguese Territories in the context of southern Africa as a whole.

B. Resolution 2506 B (XXIV) adopted by the General Assembly on 21 November 1969

719. In a letter dated 2 December 1969 (S/9523), the Secretary-General transmitted to the Security Council the text of resolution 2506 B (XXIV) adopted by the General Assembly on 21 November 1969 on the item relating to the policies of *apartheid* of the Government of the Republic of South Africa. In paragraph 9 of that resolution, the General Assembly drew the attention of the Security Council to the grave situation in South Africa and in southern Africa as a whole and recommended that the Council should urgently resume consideration of the question of *apartheid* with a view to adopting effective measures, including those under Chapter VII of the Charter, to eliminate the threat to international peace and security posed by the situation.

COMMUNICATIONS CONCERNING THE SITUATION IN TERRITORIES UNDER PORTUGUESE ADMINISTRATION

720. By a letter dated 21 November 1969 (S/9509), the Secretary-General transmitted to the President of the Security Council the text of resolution 2507 (XXIV), adopted by the General Assembly on 21 November 1969. In paragraph 12 of that resolution the General Assembly recommended that the Security Council, with a view to the immediate implementation of Assembly resolution 1514 (XV) in the Territories under Portuguese domination, should take effective steps in accordance with the relevant provisions of the Charter and the determination of the international community to put an end to colonialism and racial discrimination in Africa.

721. In a telegram dated 19 December 1969 (S/9579),⁷ addressed to the President of the Security

⁷ See also chapter 28 below.

Council, the Minister of Foreign Affairs of the German Democratic Republic stated that his Government condemned the acts of aggression committed by Portugal against Senegal and Guinea in violation of the Security Council resolution 273 (1969). It added that full independence should be granted to the Portuguese-suppressed peoples of Guinea (Bissau), Mozambique and Angola to deprive colonial Powers of any opportunity for aggressive acts. The Governments of the German Democratic Republic fully supported the call of the General Assembly on the Security Council to take effective steps towards early implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Chapter 16

COMMUNICATIONS RELATING TO COMPLAINTS BY CAMBODIA CONCERNING ACTS OF AGGRESSION AGAINST THE TERRITORY AND CIVILIAN POPULATION OF CAMBODIA

722. During the period under review Cambodia addressed forty-nine communications to the President of the Security Council, alleging aggressive actions by foreign troops in Cambodia.

723. In thirty-three communications Cambodia accused the armed forces of the United States and the Republic of Viet-Nam of frequent violations of its territory, territorial waters and air space. Cambodia's charges against the United States and South Viet-Nameese forces related to firing across the frontiers with various weapons, inflicting death and injuries on Cambodian villagers and causing damage to dwellings, livestock and other property. Cambodia also accused those forces of crossing into Cambodian territory, often supported by armoured cars and helicopters, firing on villages and police posts, planting mines and booby traps and robbing and abducting inhabitants and livestock. There were also complaints of shelling by United States-South Viet-Nameese naval vessels, which frequently penetrated Cambodian waters and disembarked commandos who killed and abducted villagers and fisherman and laid anti-personnel mines in Cambodian territory. The letters also contained charges of attacks by the United States and South Viet-Nameese air force, resulting in deaths and injuries. On occasion the letters charged the intruding aircraft with dropping defoliants and other poisonous chemicals.

724. Some communications reported that members of the International Control Commission and military attachés of diplomatic missions in Phnom-Penh had visited the scene of the attacks and violence referred to and had viewed the effects of the aggression at first hand.

725. Beginning on 30 March 1970 and up until 15 June 1970, Cambodia addressed sixteen communications to the President of the Security Council charging "Viet-Cong and North Viet-Nameese forces" with armed incursions into Cambodian territory, attacking

Cambodian military posts, engaging Cambodian defence forces in frequent clashes and occupying Cambodian territory at several points in the country. Scores of Cambodians, including women and children were reported to have died as a result of those attacks and several others were reported missing. In addition hundreds of buildings were allegedly set on fire or otherwise destroyed in those attacks.

726. Listed below are letters from the representative of Cambodia addressed to the President of the Security Council pertaining to the alleged aggressive actions by foreign troops in Cambodia:

Letter dated 25 July 1969 (S/9367), charging United States and South Viet-Nameese force with violations and attacks against Cambodian territory from 6 May to 22 June.

Letter dated 1 August (S/9374), charging the United States and South Viet-Nameese forces with violations of Cambodian air space followed by the spraying of poisonous yellow chemical powder from 18 May to 14 June.

Letter dated 1 August (S/9375), charging United States and South Viet-Nameese forces with attacks and violations of Cambodian territory from 25 June to 12 July.

Letter dated 27 August (S/9416), charging United States and South Viet-Nameese forces with an air attack against Cambodian villages on 9/10 August.

Letter dated 9 September (S/9438), charging United States and South Viet-Nameese forces with attacks against Cambodian territory from 18 July to 13 August.

Letter dated 23 September (S/9454), charging United States and South Viet-Nameese forces with violations and attacks against Cambodian territory from 3 August to 2 September.

- Letter dated 14 October (S/9475), charging United States and South Viet-Namense forces with attacks against Cambodian territory from 27 August to 23 September.
- Letter dated 28 October (S/9491), charging United States and South Viet-Namense forces with attacks against Cambodian territory on 1, 6 and 9 October.
- Letter dated 12 November (S/9502), charging United States and South Viet-Namense forces with attacks against Cambodian territory from 2 to 24 October.
- Letter dated 12 November (S/9517), transmitting a White Paper concerning the alleged United States and South Viet-Namense violations of Cambodian territory from 1962 up to May 1969.
- Letter dated 2 December (S/9522), charging United States and South Viet-Namense forces with attacks and violations of Cambodian territory, air space and territorial waters from 6 October to 2 November.
- Letter dated 3 December (S/9526), charging United States and South Viet-Namense forces with attacks against the Dak Dam resistance centre on 16 and 17 November.
- Letter dated 3 December (S/9527), transmitting further details on the alleged United States and South Viet-Namense attacks against the Dak Dam resistance centre from 16 to 19 November.
- Letter dated 11 December (S/9558), charging United States and South Viet-Namense forces with attacks against Cambodian territory from 13 October to 12 November.
- Letter dated 17 December (S/9569), charging United States and South Viet-Namense forces with occupying and destroying a Khmer post on 4/5 October.
- Letter dated 18 December (S/9571), transmitting documents and photographs concerning the alleged United States attacks against the Dak Dam defence post from 16 to 19 November.
- Letter dated 23 December (S/9580), charging United States and South Viet-Namense forces with attacks and violations of Cambodian territory and air space from 1 to 26 November.
- Letter dated 31 December (S/9586), charging United States and South Viet-Namense forces with attacks and violations of Cambodian territory, air space and territorial waters from 26 November to 8 December.
- Letter dated 6 January 1970 (S/9595), charging United States and South Viet-Namense forces with an attack against the village of Tabol on 17 December.
- Letter dated 14 January (S/9605), charging United States and South Viet-Namense forces with violations and attacks against Cambodian territory from 15 November to 25 December.
- Letter dated 20 January (S/9611), charging United States and South Viet-Namense forces with an attack against Cambodian territory on 13 December.
- Letter dated 27 January (S/9625), charging United States and South Viet-Namense forces with attacks and violations of Cambodian territory from 27 November 1969 to 6 January 1970.
- Letter dated 5 February (S/9638), charging United States and South Viet-Namense forces with attacks and violations of Cambodian territory from 11 December 1969 to 6 January 1970.
- Letter dated 10 February (S/9645), charging United States and South Viet-Namense forces with attacks and violations of Cambodian territory from 2 to 11 January.
- Letter dated 18 February (S/9651), charging United States and South Viet-Namense forces with a violation of Cambodian air space on 18 December and dropping chemical products over a frontier zone in the province of Mondulhiri.
- Letter dated 18 February (S/9653), charging United States and South Viet-Namense forces with violations and attacks against Cambodian territory from 3 December 1969 to 23 January 1970.
- Letter dated 25 February (S/9668), charging United States and South Viet-Namense forces with violations and attacks against Cambodian territory from 22 December 1969 to 8 February 1970.
- Letter dated 4 March (S/9679), charging United States and South Viet-Namense forces with violations of Cambodian air space and attacks against its citizens on 8 and 12 February.
- Letter dated 9 March (S/9688), charging United States and South Viet-Namense forces with violations and attacks against Cambodian territory from 28 January to 10 February.
- Letter dated 10 March (S/9694), charging United States and South Viet-Namense forces with an attack against Cambodian territory during the night of 3/4 February.
- Letter dated 16 March (S/9707), concerning the alleged assassination of a Cambodian soldier taken prisoner on 28 October 1969 by United States and South Viet-Namense forces.
- Letter dated 25 March (S/9724), charging United States and South Viet-Namense forces with violations and attacks against Cambodian territory from 12 to 23 February.
- Letter dated 30 March (S/9729 and Add.1), charging North Viet-Namense and Viet-Cong forces with violations and attacks against Cambodian territory on 27 and 28 March.
- Letter dated 1 April (S/9730), charging an attack by North Viet-Namense and Viet-Cong forces on 31 March in the Snuol region in the province of Kratié.
- Letter dated 3 April (S/9733), charging United States and South Viet-Namense forces with attacks against Cambodian territory from 17 to 27 February.
- Letter dated 3 April (S/9734), reporting losses suffered by Cambodian forces as a result of the alleged attack on 31 March (S/9730) and a further attack the same evening on the village of Kampot Touk by North Viet-Namense and Viet-Cong forces.
- Letter dated 6 April (S/9741), charging attacks by North Viet-Namense and Viet-Cong forces against Cambodian territory from 1 to 3 April.
- Letter dated 8 April (S/9743), charging attacks by North Viet-Namense and Viet-Cong forces against Cambodian territory on 31 March and 1 to 5 April.
- Letter dated 13 April (S/9750), charging attacks by North Viet-Namense and Viet-Cong forces against Cambodian territory from 4 to 8 April.
- Letter dated 15 April (S/9754), charging attacks by North Viet-Namense and Viet-Cong forces against Cambodian territory from 8 to 11 April.
- Letter dated 20 April (S/9760), charging attacks by Viet-Cong and North Viet-Namense forces against Cambodian territory from 2 to 15 April.

Letter dated 23 April (S/9762), charging Viet-Cong and North Viet-Name forces with attacks against Cambodian territory from 12 to 19 April.

Letter dated 24 April (S/9763), charging Viet-Cong and North Viet-Name forces with attacks against Cambodian territory from 18 to 22 April.

Letter dated 27 April (S/9769), charging Viet-Cong and North Viet-Name forces with attacks against Cambodian territory from 22 to 26 April.

Letter dated 30 April (S/9773), transmitting a Government communiqué on the alleged losses in property and human life caused in Cambodia by the Viet-Cong and North Viet-Name forces.

Letter dated 1 May (S/9776), charging Viet-Cong and North Viet-Name forces with attacks against Cambodian territory from 24 to 27 April.

Letter dated 4 May (S/9780), charging Viet-Cong and North Viet-Name forces with attacks against Cambodian territory from 25 to 29 April.

Letter dated 7 May (S/9787), charging Viet-Cong and North Viet-Name forces with attacks against Cambodian territory on 29 and 30 April.

Letter dated 13 May (S/9802), charging Viet-Cong and North Viet-Name forces with attacks against Cambodian territory from 29 April to 4 May.

727. Listed below is a letter from the representative of the United States addressed to the President of the Security Council:

Letter dated 9 March (S/9692), in reply to the Cambodian letters of 3 and 18 December 1969 (S/9526, S/9527 and S/9571), concerning a border incident at Dak Dam, Cambodia, on 16-17 November 1969.

Chapter 17

COMMUNICATIONS CONCERNING THE SITUATION IN THE AREA OF VIET-NAM

728. In a letter dated 5 May 1970 (S/9781) the United States representative referred to his Government's letters of 7 and 27 February 1969 (S/6174 and Corr. 1 and S/6206) concerning aggression against the Republic of Viet-Nam and informed the President of the Council of aggression by North Viet-Name forces based in Cambodia requiring measures of collective self-defence by armed forces of the Republic of Viet-Nam and the United States. The letter said that for five years North Viet-Nam, against the Cambodian Government's wishes and in violation of Cambodian neutrality, had maintained in Cambodia supply points and bases for military operations against the Republic of Viet-Nam. Recently, North Viet-Name forces had expanded these base areas, moved to link those bordering South Viet-Nam into one continuous chain and pushed others deeper into Cambodia. North Viet-Nam had also stepped up guerrilla actions into South Viet-Nam and was concentrating forces in Cambodia for further massive attacks into South Viet-Nam. Accordingly, United States and South Viet-Name forces had been required to take appropriate measures of self-defence. The measures were restricted in extent, purpose and time and confined to border areas occupied by North Viet-Name and Viet-Cong forces and over which the Cambodian Government no longer exercised effective control. Their purpose was to destroy stocks and communications equipment used for aggression against the Republic of Viet-Nam. When that purpose was accomplished, United States forces and those of the Republic of Viet-Nam would promptly be withdrawn.

729. The letter also reiterated continued respect for Cambodian sovereignty, independence, neutrality and territorial integrity and concluded by referring to President Nixon's address of 30 April, in which he said that the purpose of defensive measures taken in Cambodia was to end the war in Viet-Nam and that every possible effort would be made to achieve that end through negotiation rather than on the battlefield.

730. In a letter dated 8 May 1970 (S/9804) addressed to the President of the Security Council, the representative of the USSR transmitted the text of a statement made by the Chairman of the Council of

Ministers of the USSR, Mr. A. N. Kozygin, on 4 May 1970. The statement said that the invasion of Cambodia by United States forces on the night of 30 April/1 May 1970 had created a new hot-bed of war in South-East Asia. In addition, the United States had lately been carrying out massive air raids on certain areas of North Viet-Nam, thereby grossly violating the obligation it had assumed in accordance with the understanding which had formed the basis for the quadrilateral negotiations in Paris. By unleashing war in Cambodia and resuming large-scale bombings of inhabited areas of North Viet-Nam, the United States President, Mr. Nixon, was rendering null and void the decision of his predecessor, President Johnson, to end, as of November 1968, all aerial bombing and other actions involving the use of force against North Viet-Nam. The United States had attempted to justify its military invasion of Cambodia by alleging that it was essential in order to save the lives of United States soldiers in South Viet-Nam. That was strange logic: the aggressor, having first invaded the territory of one country, then argued that somebody was threatening the lives of his soldiers and that such a threat was in his view sufficient reason for invading the territory of another country neighbouring on the first one. Such a policy constituted the most flagrant arbitrariness in international affairs and had to be resolutely condemned.

731. Even further away from the truth were allegations that the transfer of hostilities to the territory of Cambodia would hasten the end of the war in Viet-Nam. It had been made to appear that expansion of the theatre of war in Indochina would serve to reduce the scale of the fighting rather than increase it. The real purpose underlying the United States policy in South-East Asia was to liquidate progressive régimes in the countries of this region, to stifle national liberation movements, to hamper the social progress of the peoples and to impose colonialist methods in order to subordinate the foreign and domestic policies of the States of Indochina to its own military and strategic interests. The United States invasion of Cambodia had made it obvious that there was a link between the subversive activities of certain United States agencies

and the coup d'état in Cambodia. Those United States agencies and their agents in Cambodia were, among other things, trying to create hostilities between the Khmer people and the people of Viet-Nam and were using every means possible to set the people of Asia against one another. In the existing situation, all States that cherish the interests of peace and freedom of the peoples should display a high sense of responsibility for the further course of events and a determination to assist in rebuffing the aggressor. The result of the invasion of Cambodia by United States troops might further complicate the general international situation, and it made one doubt the sincerity of Mr. Nixon's professed desire for fruitful negotiations to solve pressing international problems. The actual foreign policy measures of the United States President appeared to be radically different from his previous declarations and assertions about trying to stop the war in Viet-Nam and bring the United States soldiers back home. The Soviet Union for its part had always respected the neutrality and independence of Cambodia and its sovereignty and territorial integrity and that respect had motivated its strong condemnation of the United States intervention in Cambodia. The Soviet Government would draw the appropriate conclusions for its policy from the course of action of the United States in South-East Asia.

732. In a letter dated 1 July 1970 (S/9854) the United States representative referred to his communication of 5 May (S/9781) and informed the Council that United States ground forces had been withdrawn from Cambodian territory, inasmuch as the objective of destroying military equipment and supplies used in

aggression against the Republic of Viet-Nam had been achieved.

733. The letter stated that North Viet-Name and Viet-Cong use of Cambodian territory in violation of that nation's independence, neutrality and territorial integrity—guaranteed in the 1954 Geneva Agreement to which North Viet-Nam was a party—was the root of armed conflict in Cambodia. The immediate threat posed by expanded North Viet-Name and Viet-Cong activity there directly threatening the Republic of Viet-Nam's security and necessitating self-defence measures had been reduced through the seizure or destruction of substantial military supplies and equipment. Nevertheless, North Viet-Name and Viet-Cong forces remained in Cambodia in pursuance of their attack against the Republic of Viet-Nam. Therefore, the United States, with the Cambodian Government's approval, would conduct air interdiction missions against North Viet-Name efforts to move supplies and personnel through Cambodia and to re-establish bases for use in the Viet-Nam conflict. Such missions were appropriate measures of self-defence against continuing attacks against the Republic of Viet-Nam being carried on from Cambodian territory.

734. In conclusion, the letter said that in announcing the withdrawal of United States ground forces, President Nixon had reiterated United States support for Cambodian sovereignty, independence, neutrality and territorial integrity and for the objective of a peace in which the peoples of Indochina could develop their own societies and determine their own political future without outside interference.

Chapter 18

COMMUNICATIONS CONCERNING RELATIONS BETWEEN CAMBODIA AND THAILAND

735. Between July 1969 and March 1970, the representative of Cambodia addressed twenty letters to the President of the Security Council, charging violations of its territory and territorial waters by Thailand and calling upon that Government to take steps to prevent the repetition of those acts.

736. Cambodia's charges related to armed incursions by Thai elements who reportedly raided and looted villages, attacked military posts and border patrols and laid mines in Cambodian territory, resulting in several deaths and injuries. Cambodia further charged that, on occasion, the intruders included Cambodian rebels of the Khmer Serei movement. With respect to violations of its territorial waters, Cambodia complained about clandestine fishing by Thai junks which often fired on Cambodian sea patrols when challenged.

737. In four communications to the Council (S/9423, S/9432, S/9552 and S/9666), the Cambodian charges were refuted by the representative of Thailand, who stated that Cambodian soldiers and other armed elements from that country had committed unprovoked acts of aggression, intrusion and looting against peaceful Thai villagers and fishing boats.

738. In a letter dated 11 August 1969 (S/9380), the representative of Cambodia referred to his delegation's previous letters describing the capture of four Thai soldiers and seventy-nine Thai civilians who had secretly engaged in cutting timber in Cambodian terri-

tory for transport to Thailand and attempted to establish in the region the seat of a so-called government of the treasonable Khmer Serei movement. The letter was accompanied by confessions of the Thai soldiers as to their role in the Khmer Serei movement and documents purporting to show that the Thai civilians were employed by companies with operating contracts with the Khmer Serei.

739. In a letter dated 28 August (S/9423) the representative of Thailand stated that the charges contained in the letter of Cambodia (S/9380) to the effect that his Government was supporting the indigenous dissident Khmer Serei movement in Cambodia were without foundation. His Government had steadfastly adhered to the policy of non-interference in the domestic affairs of other nations. The captured Thais had obtained legal permission to cut down trees inside Thai territory. If they had indeed been captured, it must have been the result of a trap devised by Cambodian authorities to lure the woodcutters into the Cambodian part of the border areas. The letter further charged that a road linking the Thai frontier with the area where the incident had occurred had been hastily built by Cambodian authorities in order to corroborate the fabricated charges that Cambodian natural resources had been taken illegally.

740. In a letter dated 16 September (S/9450) the representative of Cambodia rejected the Thai charges and stated that Thailand was attempting to mislead the

United Nations by posing as a victim. The photographs of captured Thai army officers, of arms supplied by the Thai authorities to the Khmer Serei rebels and other incriminating evidence that had been already submitted to the Security Council provided enough proof to refute the Thai allegations.

741. In another letter dated 7 October (S/9467) the representative of Cambodia complained that a mine laid by armed elements from Thailand had been set off by a cart drawn by buffaloes, killing four Cambodian villagers on the spot and wounding another.

742. In a letter dated 4 September (S/9432) the representative of Thailand complained of a series of aggressive actions on the part of Cambodia, from 5 May to 19 July, involving clashes between Thai border patrols and intruding Cambodian soldiers, who often robbed Thai villagers of their livestock.

743. In a letter dated 12 March 1970 (S/9698) the representative of Cambodia stated that his Government had made thorough inquiries and had concluded that the complaints contained in the Thai letter of 4 September were only another ruse to mislead the United Nations and world public opinion in order to conceal that Government's aggression against Cambodia and its interference in Cambodia's internal affairs.

744. Listed below are additional letters addressed to the President of the Security Council by the representatives of Cambodia and Thailand.

Letter dated 21 July 1969 (S/9347) from the representative of Cambodia charging Thai nationals with mine incidents and other violations of Cambodian territory from 10 May to 18 June.

Letter dated 25 July 1969 (S/9365) from the representative of Cambodia charging Thai fishing junks with violations of Cambodian territorial waters on 3 and 12 June.

Letter dated 25 July 1969 (S/9366) from the representative of Cambodia charging Thai nationals with clandestine cultivation of land in Cambodian territory and protesting other incidents that occurred between 23 June and 3 July.

Letter dated 16 September 1969 (S/9451) from the representative of Cambodia charging violations of Cambodian territorial waters by Thai fishing junks on 29 July and on 13, 24 and 26 August.

Letter dated 28 October 1969 (S/9492) from the representative of Cambodia charging Thai fishing boats with violations of Cambodian territorial waters on 3/4 and 7 October.

Letter dated 12 November 1969 (S/9503) from the representative of Cambodia charging an armed attack by Thai nationals against Cambodian territory on 15 October.

Letter dated 1 December 1969 (S/9516) from the representative of Cambodia charging violations of Cambodian territory by Thai units and fishing junks on 27 August, 10, 16 and 17 October.

Letter dated 9 December 1969 (S/9548) from the representative of Cambodia charging Thai nationals with violations of Cambodian territory on 15 and 31 October.

Letter dated 8 December 1969 (S/9552) from the representative of Thailand charging Cambodian armed forces with attacks against Thai inhabitants along the border areas from 21 June to 10 September.

Letter dated 18 December 1969 (S/9570) from the representative of Cambodia charging a violation of Cambodian territory by Thai nationals and soldiers on 8 November.

Letter dated 24 December 1969 (S/9581) from the representative of Cambodia charging violations of Cambodian territorial waters and territory by Thai nationals on 17/18 November, 20 November and 2/3 December.

Letter dated 31 December 1969 (S/9587) from the representative of Cambodia charging a violation of Cambodian territorial waters by a Thai fishing junk on 13/14 October.

Letter dated 15 January 1970 (S/9606) from the representative of Cambodia charging violations of Cambodian territory by Thai soldiers and nationals on 12, 19, 20 and 22 December 1969.

Letter dated 5 February 1970 (S/9637) from the representative of Cambodia charging Thai soldiers with laying a mine in Cambodian territory on 10 December 1969.

Letter dated 10 February 1970 (S/9644) from the representative of Cambodia charging Thai fishing junks with violations of Cambodian territory on 10 December 1969 and 4 January 1970.

Letter dated 18 February 1970 (S/9652) from the representative of Cambodia charging a violation of Cambodian territorial waters by Thai fishermen on 11 January.

Letter dated 19 February 1970 (S/9666) from the representative of Thailand charging Cambodian forces with violations of Thai territory and attacks against her nationals from 3 June to 18 November 1969.

Letter dated 25 March 1970 (S/9725) from the representative of Cambodia charging a violation of Cambodian territory by Thai nationals on 12 February.

745. No communications on the subject were received from either side after March 1970.

Chapter 19

REPORTS ON THE STRATEGIC TRUST TERRITORY OF THE PACIFIC ISLANDS

746. On 3 October 1969 the Secretary-General transmitted to the Security Council the report of the Trusteeship Council on the Trust Territory of the Pacific Islands covering the period from 20 June 1968 to 19 June 1969 (S/9400).

747. On 7 May 1970 the Secretary-General transmitted to the members of the Council the report of the United States Government on the administration of the Trust Territory of the Pacific Islands for the period from 1 July 1968 to 30 June 1969 (S/9785).

COMMUNICATION CONCERNING THE KOREAN QUESTION

748. By a letter dated 30 October 1969 (S/9493), the representative of the United States transmitted to the Security Council a report of the United Nations Command complaining of the continuation of serious North Korean violations of the Armistice Agreement of 27 July 1953, including acts of infiltration, terrorism and subversion in the Republic of Korea. The report charged that during the first seven months of 1969 ninety-nine acts of aggression had been committed by North Korea in the demilitarized zone and throughout the Republic of Korea, resulting in the killing of forty-four North Koreans, six United Nations Command personnel and fifteen nationals of the Republic of Korea.

749. In his letter of transmittal, the United States representative called the Council's attention to three incidents which, he said, had occurred since the preparation of the report and which, he added, underscored North Korea's wilful disregard of the Armistice Agreement. The alleged incidents were the following: (1) the

shooting down on 17 August 1969 by North Korean units of an unarmed United Nations Command helicopter which had inadvertently strayed across the demilitarized zone into North Korean territory and the continued refusal of the North Korean authorities to return three captured crew members who reportedly had been injured; (2) an attempt on 13-14 October to infiltrate additional North Korean armed agents into the Republic of Korea; and (3) an attack by North Korean units on 18 October upon a United Nations Command work party within the demilitarized zone, resulting in the death of four United Nations Command soldiers.

750. Regarding North Korean charges of violations by the United Nations Command of Armistice Agreement provisions against reintroduction of reinforcing combat equipment, the letter stated that United Nations Command actions, in modernizing its forces, had been purely defensive and in response to a clear build-up of North Korean forces personnel and armament.

Chapter 21

COMMUNICATIONS CONCERNING RELATIONS BETWEEN EL SALVADOR AND HONDURAS

751. In a letter dated 16 July addressed to the Secretary-General (S/9336), the representative of Honduras stated that because the efforts made by a Mediation Committee, composed of the Foreign Ministers of Guatemala, Nicaragua and Costa Rica, had been frustrated by El Salvador, his country had been obliged to appeal to the Organization of American States (OAS) to take steps to end the military operation and settle by peaceful means the differences which had led to armed conflict between his country and El Salvador. The cease-fire order issued by OAS had been respected only by Honduras, which regrettably had to continue to take defensive measures within its own territory.

752. By a letter dated 17 July (S/9338), the Secretary-General of OAS informed the Secretary-General that the Committee established by the OAS resolution of 14 July 1969 was in the area of the events pursuant to its terms of reference.

753. By a further letter dated 18 July (S/9342), the Secretary-General of OAS transmitted the texts of four resolutions adopted on the same date by the OAS Council, acting provisionally as Organ of Consultation. By resolution 1 the OAS Council decided to set 18 July 1969 as the date for the suspension of hostilities and to urge the Governments of El Salvador and Honduras to take immediate steps to withdraw the troops which were occupying parts of the territory of the other State to the lines they held prior to 14 July. By resolution 2, the OAS Council decided that a control system should be established to supervise the implementation of the cease-fire and the withdrawal of troops, that the towns and villages occupied by the armies of both countries should be turned over to the Council's Committee or to observers appointed by it and that the Salvadorian and Honduran air forces should remain grounded. By resolution 3, the OAS

Council urged the Governments of El Salvador and Honduras to guarantee respect for the lives, personal security and property of nationals of each country who were residents in the territory of the other country, instructed the OAS Committee to adopt such measures as might be necessary to ensure compliance with those guarantees and requested States Members of the Organization to supply food, medicines and other facilities to assist displaced persons from both countries. By resolution 4, the OAS Council urged El Salvador and Honduras to put an end to radio and television campaigns that might further inflame feelings.

754. By a letter dated 24 July 1969 addressed to the Secretary-General (S/9358), the Permanent Representative of El Salvador transmitted a communication sent on 18 July by his Government to the OAS Provisional Organ of Consultation, stating that El Salvador, which accepted the actions undertaken by OAS, had ordered a cease-fire. However, as resolution 1, paragraph 2, implied that hostilities between El Salvador and Honduras had begun on 14 July 1969, the Salvadorian Government wished to state that that was not correct. There was ample proof, the letter said, that the hostilities had begun on 15 June 1969, when armed attacks had been mounted by agents of the Honduran Government against the peaceful and defenceless Salvadorian population resident in that country, culminating in the mass expulsion of over 17,000 Salvadorians. The military operations carried out by the armed forces of El Salvador did not constitute an act of war against Honduras but a defensive action to repel those armed attacks by Honduran military forces and to protect the rights of Salvadorian residents in Honduras. Accordingly, the Government of El Salvador requested most emphatically that the *status quo ante bellum* should be fixed at 15 June 1969. The Salvadorian Government, the letter stated, would with-

draw its troops provided proper guarantees were given for the protection of rights and property of Salvadorians resident in Honduras and the return of those who had been expelled.

755. By a letter dated 25 July 1969 (S/9361), the Secretary-General of OAS transmitted to the Secretary-General the text of a resolution by which the Council of the OAS reiterated its decision regarding the suspension of hostilities and the need for restoring matters to the *status quo ante bellum*. The resolution also provided that the Thirteenth Meeting of Consultation of Ministers of Foreign Affairs of OAS, as requested by the parties concerned, would be held on 26 July 1969.

756. In a letter dated 26 July 1969 (S/9362), addressed to the Secretary-General, the Minister for Foreign Affairs of Honduras charged El Salvador with committing violations of human rights against the civilian population of Honduran towns occupied by Salvadorian armed forces, a situation that had resulted in the evacuation from the occupied areas of more than 27,000 persons.

757. By a letter dated 30 July 1969 (S/9370), the Secretary-General of OAS transmitted to the Secretary-General the texts of three resolutions adopted on the same date by the Thirteenth Meeting of Consultation of Ministers of Foreign Affairs. By resolution I, the Meeting took note of the declaration made by the Government of El Salvador, asked that the troops should be immediately withdrawn; and instructed the OAS Committee to supervise the troop withdrawal and to report to the Meeting of Consultation. By resolution II, the Meeting of Consultation, instructed the OAS Committee to take all necessary measures to ensure respect for the personal safety and freedom of Salvadorians and Hondurans resident in the other country, noted the agreement of the Governments of El Salvador and Honduras to submit their differences to any of the procedures provided for in the Pact of Bogota, and recommended that both Governments should facilitate the return of displaced persons. The letter

also contained a declaration by the Meeting of Consultation, in which it was stated that neither recognition of conquest nor occupation of territories acquired by the use of force was admissible and that the status of immigrants was governed by the laws of the countries in which they were resident.

758. By a letter dated 2 August 1969 (S/9377), the Chargé d'affaires of El Salvador transmitted to the Secretary-General the text of a cable sent by his Government to the Inter-American Commission on Human Rights, rejecting the Honduran charges of violations of human rights of civilians in the towns occupied by the Salvadorian army.

759. By a letter dated 5 August 1969 (S/9378), the Chargé d'affaires of El Salvador transmitted to the Secretary-General his Government's reply to the Secretary-General's appeal of 15 July 1969. It stated that El Salvador had greatly appreciated the Secretary-General's call for a peaceful solution of the conflict, and it expressed gratification that the Meeting of Consultation of Ministers of Foreign Affairs of the OAS had adopted resolutions aimed at peaceful solution of the conflict.

760. By a letter dated 27 October 1969 (S/9490), the Secretary-General of OAS transmitted to the Secretary-General the texts of seven resolutions adopted on the same date by the thirteenth Meeting of Consultation of Ministers of Foreign Affairs. By those resolutions, the Meeting decided, among other things, to call upon the Governments of El Salvador and Honduras to refrain from any action which might threaten the peace and to comply with all agreements and treaties to which they were parties.

761. By a letter dated 19 June 1970 (S/9860), the Assistant Secretary-General of OAS transmitted to the Secretary-General the text of a resolution adopted on 9 June 1970 by the Meeting of Consultation concerning the agreement reached by the Ministers of Foreign Affairs of Central America on a plan for establishing a security zone for purposes of pacification in the border area between El Salvador and Honduras.

Chapter 22

COMMUNICATIONS CONCERNING RELATIONS BETWEEN GUYANA AND VENEZUELA

762. By a letter dated 24 February 1970 (S/9663) addressed to the President of the Security Council, the Permanent Representative of Guyana brought to the attention of the Council what he termed a serious situation arising from unprovoked attacks by Venezuelan military forces against the territorial integrity of the Republic of Guyana. The letter stated that on 19, 21 and 22 February 1970, Venezuelan military forces on the island of Ankoko had levelled machine-gun and mortar attacks on a Guyanese police station, a defence force camp and an air strip at Eteringbang, on the Guyana side of the border. At no stage during the attacks, the letter said, had Guyanese forces fired in retaliation. The attacks, which had coincided with the official celebrations marking the inauguration of the Guyana Republic, had been followed by a Venezuelan military build-up at strategic points along the border and by an increase in Venezuelan subversive activity among the Amerindian citizens of Guyana. The Government of Guyana had formally protested to

the Venezuelan Government against those acts of aggression and had demanded reparation for the damage done.

763. In a letter dated 6 March (S/9681 and Corr.1), addressed to the President of the Security Council, the Permanent Representative of Venezuela stated that Guyanese soldiers stationed at Eteringbang had, since December 1969, sporadically fired at Venezuelan posts. Those acts had been repeated on 17, 21 and 22 February 1970, and had been used to fabricate the charges contained in the letter of 24 February from the representative of Guyana, which were a manifestation of a policy followed by the Guyanese Government aimed at solving internal political problems by making Venezuela appear as an aggressor in the eyes of international public opinion. Venezuela had not encouraged any bellicose or hostile sentiments towards Guyana. On the contrary, its friendly attitude towards Guyana had been reflected in the statements made by the President and the Foreign Minister of

Venezuela on the occasion of Guyana's independence. Venezuela, however, would continue its efforts, within the framework of international rules, to recover the territory which it had unjustly lost. Venezuela, the letter concluded, had rejected the protest from the Guyanese Government.

764. In a letter dated 16 March 1970 (S/9708), addressed to the President of the Security Council, the Permanent Representative of Guyana, referring to the Venezuelan letter, noted that none of the alleged hostile acts by Guyanese forces had even been mentioned by Venezuela in the bilateral talks between the two countries. Moreover, Venezuela had not specifically denied responsibility for the acts of aggression committed against Guyana but had implied instead, without supporting evidence, that those acts had been in response to Guyanese initiative. The Government of

Guyana considered that at this juncture steps should be taken, through appropriate international machinery, to prevent the recurrence of incidents and would therefore present to the Venezuelan Government proposals designed to maintain peace along the Guyanese/Venezuelan border and to provide means for establishing responsibility in the event of any further breaches of the peace.

765. In a letter dated 9 April (S/9746) addressed to the President of the Security Council, the Permanent Representative of Venezuela stated that he did not consider it necessary to comment on the interpretations made by the representative of Guyana, but wished to reiterate the statements made in his letter of 6 March 1970 and to reject categorically both the interpretations and the claims made by the representative of Guyana.

Chapter 23

COMMUNICATIONS CONCERNING THE QUESTION OF GIBRALTAR

766. In a letter dated 1 October 1969, addressed to the Secretary-General (S/9461), the Minister for Foreign Affairs of Spain stated that the United Nations, through General Assembly resolutions 2070 (XX), 2231 (XXI), 2353 (XXII) and 2429 (XXIII), had reached the conclusion that Gibraltar was a part of Spanish territory which must be decolonized and returned to Spain. The General Assembly had called on the Governments of Spain and the United Kingdom to negotiate on the substance of the Gibraltar problem. But, the letter stated, the United Kingdom maintained that the Assembly resolutions on this question were substantially at variance with the principles of the Charter. The United Kingdom attempted to justify its attitude by arguing its concern for the interests of the population of Gibraltar, although everyone knew that that artificially created population, composed mostly of civil servants at a military base, was a mere screen to mask a military and imperialist interest. For a civilian population of 18,000 and a territory of less than 5 square kilometres, the British Government had assembled a force of 10,000 men and a large naval concentration. Although the Spanish Government did not agree that the inhabitants of Gibraltar should be a decisive factor in determining the future of the territory, it had, nevertheless, shown its greatest respect for the population's legitimate rights. The Spanish Government, the letter continued, still awaited the British response to certain proposals made in 1966, in accordance with which an international treaty registered with the United Nations would guarantee the fundamental human rights of the Gibraltarians. Spain's only demand was the restitution of its sovereignty over a territory which belonged to Spain on geographical and historical grounds.

767. By a letter dated 9 October 1969 addressed to the Secretary-General (S/9469), the Permanent Representative of the United Kingdom recalled that before the voting on resolution 2429 (XXIII), he had drawn the attention of the General Assembly to the

need to tackle the problem of Gibraltar through conciliation and co-operation. Under the United Nations Charter the British Government had an obligation to regard the interests of the Gibraltar population as paramount. It was therefore misleading to assert that British interests in Gibraltar were "exclusively militarist and imperialist". There were in fact well under 3,000 British servicemen stationed in Gibraltar and on 1 October the alleged large naval concentration consisted of one aircraft carrier in port for routine self-maintenance, one guard ship and two frigates undergoing a refit. The British Government, the letter continued, could not accept recommendations by the General Assembly that would clearly involve it in a breach of overriding provisions of the Charter. His delegation had been able to vote for resolution 2231 (XXI), which took into account the interests of the people of Gibraltar, but it had voted against the 1967 and 1968 resolutions, for the reasons stated in its explanations of vote. Regarding the Spanish allegation that the United Kingdom Government had failed to reply to the proposals put forward in 1966, the letter recalled that at that time the British Government had considered them sufficiently serious and important and felt that they might go some way towards meeting the interests of the people of Gibraltar. It had, however, pointed out that there could be no prospect of a radical solution so long as the difficult situation then existing continued. It was regrettable that three years later the British Government was still unable to detect any sign that the Spanish Government was willing to create the atmosphere of confidence necessary for fruitful talks. Spain's recent decision to sever telephone and telegraph contact between the Gibraltarians and their friends and relations in Spain had had exactly the opposite effect. Finally, the letter rejected the Spanish claim that Gibraltar was a Spanish territory. The United Kingdom had no doubt whatsoever of its sovereignty over Gibraltar and had repeatedly declared its readiness to submit the legal aspects of the question to the International Court of Justice.

COMMUNICATIONS CONCERNING THE IRAQ-IRANIAN BOUNDARY TREATY OF 1937

768. In a letter dated 2 September 1969, addressed to the President of the Security Council (S/9425), the representative of Iran, after referring to the letters sent previously to the Council with respect to the Shatt-al-Arab,⁸ the boundary river flowing between Iraq and his country, stated that in 1937 Iran, under pressure, had been induced to adopt as "valid and binding" the 1913 Protocol, which had provided for the shifting of the Iraq-Iran boundary from the Thalweg to the Iranian shore in return for an Iraqi commitment to enter into a convention with Iran for co-operative administration of navigation in the Shatt-al-Arab and an unequivocal agreement not to assert rights of unilateral control after 1938. When Iraq broke that agreement and thus ended the effectiveness of the 1937 Treaty, Iran was released from its commitment to recognize the validity and binding effect of the 1913 Protocol. The boundary between the two States therefore stood where it had been originally, namely, in the middle of the channel, the Thalweg, in conformity

with the consistent and uniform practice of States and in harmony with international law. Iran, however, was willing to conclude a new navigation treaty based on the reciprocal rights of the two countries and, failing that, to accept the decisions of the International Court of Justice, if those decisions were based upon the rights of the parties under established rules of international law and not upon continuance of the validity of the 1937 Boundary Treaty or the 1913 Protocol. Iran believed that it would be best to work out agreement, perhaps with the assistance of an impartial good officer, upon a new navigation treaty, defining the reciprocal rights of the parties and establishing an administrative authority in which each country could enjoy equal voice. Iraq's offer to refer certain questions to the International Court of Justice encouraged expectations that that country might be prepared to seek a solution in accordance with the provisions of Article 33 of the Charter of the United Nations. The representative of Iran then suggested that the President of the Council might request the Secretary-General to conduct informal consultations with both sides in order to find a mutually acceptable good officer to assist the parties in working out a new navigation treaty.

⁸ See *Official Records of the General Assembly, Twenty-fourth Session, Supplement No. 2 (A/7602)*, paras. 806-812.

Chapter 25

COMMUNICATION CONCERNING COMPLAINTS BY THE PEOPLE'S REPUBLIC OF SOUTHERN YEMEN

769. By a letter dated 11 June 1970 addressed to the Secretary-General (S/9839), the representative of the People's Republic of Southern Yemen complained of several violations of Southern Yemen air space alleged to have been committed by British and Saudi Arabian planes during 1970 in flagrant violation of the territorial integrity and sovereignty of the People's Republic of Southern Yemen. A list giving dates and places of the alleged air space violations was attached.

770. By a letter dated 29 June addressed to the Secretary-General (S/9851), the representative of the United Kingdom denied the charges made by the People's Republic of Southern Yemen as unfounded. An investigation by the British authorities, he said, showed that no Royal Air Force fighter aircraft had flown over the locations in question or anywhere near Southern Yemen on the dates specified in the list.

Chapter 26

COMMUNICATIONS CONCERNING THE INDIA-PAKISTAN QUESTION

771. By a letter dated 21 July 1969 (S/9345), the representative of India forwarded copies of two notes dated 25 June 1969 addressed by his Government to the Governments of Pakistan and the People's Republic of China protesting the reported construction of a road by Pakistan, with the assistance of the People's Republic of China, from Mor Khun in Northern Kashmir to the Khunjerab on the Kashmir-Sinkiang border. India claimed that the road would permit the extension of China's road network in the Tibet-Sinkiang region into the area of Kashmir occupied by Pakistan and stated that such an extension was

obviously of military significance, calculated to alter further the situation in the area and to pose a threat to peace and security in the region. In its note to Pakistan, India added that, in pursuance of its right of self-defence, it reserved the right to take all necessary measures against any violation of its sovereignty and territorial integrity in Jammu and Kashmir.

772. By a letter dated 27 August 1969 (S/9419), the representative of Pakistan forwarded the text of a reply sent by his Government to the Government of India. In that note Pakistan stated that the State

of Jammu and Kashmir had never been recognized as a part of Indian territory and, therefore, India had no *locus standi* to lodge any protest with the Government of Pakistan. The note added that the threat contained in the Indian note ill accorded with its professions to improve relations with Pakistan.

773. By a letter dated 17 November 1969 (S/9504), the representative of India forwarded a note sent by his Government to the Government of Pakistan, in

which India had pointed out that the State of Jammu and Kashmir in its entirety had become part of India as a result of its accession to India in 1947. That parts of the State were under illegal occupation by Pakistan or China had in no way altered India's sovereignty over the whole of the State of Jammu and Kashmir. Any action taken in that area by Pakistan singly or jointly with China was therefore totally illegal and unacceptable to the Government of India.

Chapter 27

COMMUNICATIONS CONCERNING THE PROBLEM OF HIJACKING OF AIRCRAFT

774. On 3 September 1969, the following exchange of telegrams (S/9428) between the President of the International Federation of Airline Pilots Association (IFALPA) and the Secretary-General were circulated for the information of the members of the Security Council.

775. In a telegram dated 1 September 1969 addressed to the Secretary-General, the President of IFALPA requested an interview with the Secretary-General to discuss the serious problem of hijacking which, the cable noted, had been further aggravated by the hijacking of a TWA B-707 to Syria on 28 August 1969 and the detention of two passengers. The telegram then expressed the concern of IFALPA over the projection of the problem beyond the question of air safety into the political field, which could threaten world peace. IFALPA therefore believed that the responsibility for the solution of the problem lay with the United Nations Security Council rather than technical organizations and appealed to the Secretary-General to take measures to secure the release of the two passengers detained in Syria.

776. By a telegram dated 3 September 1969 addressed to the President of IFALPA, the Secretary-General agreed to meet with representatives of IFALPA in Geneva and stated that, from the time he had learned of the incident, he had been greatly concerned about the necessity for the prompt release of all the passengers and crew and of the aircraft itself. He expressed the view that no advantage should be taken by anyone of the criminal act of hijacking for to do so would only encourage such reprehensible acts.

777. Following a meeting with representatives of IFALPA at Geneva on 6 September 1969, the Secre-

tary-General issued a statement (S/9428 and Add.1), in which he said that he had expressed his appreciation to the representatives of IFALPA of their legitimate concern over the serious problem of hijacking and had agreed with them that the problem transcended the question of air safety. As regards their suggestion for Security Council action, he had pointed out that for the matter to be dealt with by the Council it would be necessary for a member State to request the inclusion of the item on the Council's agenda. As an alternative, the question could be brought before the forthcoming session of the General Assembly on an urgent basis under rule 15 of the Assembly's rules of procedure, by one or more Member States. Finally, he had informed the representatives of IFALPA that he had been in touch with the Syrian Government regarding the hijacking of the TWA plane and the detention of two of its passengers.

778. By a letter dated 25 September 1969 (S/9457) addressed to the President of the Security Council, the representative of Canada brought to the attention of the Council, the texts of two telegrams dated 10 and 22 September 1969 exchanged between the President of the Canadian Airline Pilots' Association and the Prime Minister of Canada on the problem of unlawful interference with civil aviation. The Association telegram appealed to the Government of Canada to initiate appropriate action so that the Security Council might take steps towards solution of the hijacking problem. In its reply, the Canadian Government indicated the steps that it intended to take at international forums concerned with the problem, including consultations with other Members States of the United Nations to determine what role the United Nations might play in resolving the problem of unlawful interference with international civil aviation.

Chapter 28

COMMUNICATIONS RELATING TO THE PRACTICES FOLLOWED IN CIRCULATING DOCUMENTS OF THE SECURITY COUNCIL

779. On 25 September 1969, Security Council document S/9455 was issued containing the text of a telegram dated 23 September 1969 from the Minister of Foreign Affairs of the German Democratic Republic addressed to the President of the Security Council.⁹

⁹ See chapter 4, section A above, for letter dated 24 July 1969 addressed to the President of the Security Council by the representatives of Chile, Colombia, Guyana, India, Indonesia, Nigeria, Pakistan, the United Arab Republic, Turkey, Yugoslavia and Zambia.

780. The document contained a foot-note stating that it had been circulated at the direction of the President of the Security Council.

781. In a letter dated 15 October (S/9486) addressed to the President of the Security Council, the Permanent Representatives of France, the United Kingdom and the United States noted that the above-mentioned communication from the authorities of Eastern Germany, which had been circulated at the

direction of the President of the Security Council as an official document S/9455, implied that there existed a Government other than that of the Federal Republic of Germany entitled to speak as the representative of the German people in international affairs, but that such was not the case. The Government of the Federal Republic of Germany was the sole German Government freely and lawfully elected and therefore authorized to speak in the name of Germany as the representative of the German people in international affairs. The three representatives further drew the Council's attention to the fact that, as was clear from the foot-note to document S/9455, the communication had been circulated at the request of the Permanent Representative of the Soviet Union, who had been President of the Council for the month of September. In their view that request should properly have been made in a letter from the Permanent Representative of the Soviet Union and set out in full in document S/9455.

782. In a letter dated 7 November addressed to the Secretary-General (S/9498), the Permanent Representative of the USSR referred to the three-Power letter (S/9486), which he stated contained their usual discriminatory and arbitrary opinions about a sovereign socialist State, the German Democratic Republic. The assertion that the Government of the Federal Republic of Germany was "the sole representative of the German people in international affairs", no matter how many times repeated, was completely groundless, illegal and unfounded, as it was an indisputable fact that there were two German States—the German Democratic Republic and the Federal Republic of Germany—each of which exercised the functions proper to a sovereign State, including those concerning international affairs. The letter rejected the pretensions of the three representatives to determine how the Permanent Representative of the USSR should act during his term of office as President of the Security Council in the matter of the circulation of official documents addressed to the President of the Council by the Governments of States Members and non-members of the United Nations. The letter added that the President must be guided by the purposes and principles of the Charter, not by the arbitrary opinions of individual Members of the Organization, and pointed out that insertion of the foot-note in document S/9455 had been an arbitrary act by an official of the United Nations Secretariat and had not been approved by the President of the Security Council—a fact which naturally could not be regarded as normal.

783. In a letter dated 26 November addressed to the Permanent Representative of the USSR (S/9515), the Secretary-General, referring to the foot-note in document S/9455, stated that it was, to the best of his knowledge, a correct factual statement that had been added by the Secretariat, with his approval, to indicate on what authority the document had been issued, a point not otherwise clear from the text of the communication, which had not been prefaced by any note from the President or any written request from a Member State for circulation. It had been necessary to indicate that document S/9455 had not been circulated on the initiative of the Secretariat, inasmuch as it departed from Secretariat practices and policies of circulating communications as Security Council documents only when such circulation was expressly requested by a State or otherwise authorized by the rules of procedure or by relevant decisions of the Council. None of those conditions had been met

in the case of document S/9455, in that (a) the telegram itself did not include a request for circulation in document form; (b) it related to Council resolution 269 (1969), which contained no request for comments from any source except a report from the Secretary-General on its implementation; and (c) previous communications from the same source had been circulated in document form only upon the written request of a Member State. Rule 6 of the Council's provisional rules of procedure, on the basis of which the Secretary-General took the initiative in the circulation of communications, referred, *inter alia*, to communications from "States", and resolution 269 (1969) mentioned "all States". The fact that the Secretariat could not on its own initiative implement an "any State" or "all States" formula without precise instructions from the Security Council or the General Assembly was well known, and the Secretary-General referred in that respect to his statement at the 1258th plenary meeting of the General Assembly on 18 November 1963. In view of the foregoing, and in order to prevent the misunderstandings which otherwise would have arisen, the Secretariat had added the foot-note to document S/9455. In those circumstances, and given the completely factual nature of the foot-note, he could not conclude that any "arbitrary act" had been involved in the case. The Secretary-General added that he was circulating his reply in document form inasmuch as the USSR representative's letter (S/9498) had been so circulated.

784. On 22 December Security Council document S/9579 was issued, bearing a foot-note indicating that it was circulated at the direction of the President of the Security Council.¹⁰

785. In a letter dated 22 January 1970 addressed to the President of the Security Council (S/9624), the representatives of France, the United Kingdom and the United States noted that a communication from the authorities of Eastern Germany had been circulated at the direction of the President of the Security Council as document S/9579. They restated, with regard to the procedure followed in that case, their position as set out in their letter of 15 October (S/9486).

786. In a letter dated 2 March addressed to the President of the Security Council (S/9674), the Permanent Representative of the USSR, referring to document S/9624, stated that the representatives of the United States, the United Kingdom and France were again impugning the authority of the President of the Council to circulate as official Council documents communications received by him from States. The letter added that statements of the kind made by those three representatives had no legal basis, since the circulation as official documents, on the instructions of the Council President, of communications addressed to him by States, including statements by a sovereign State such as the German Democratic Republic, was quite consonant with established practice and procedure applied in the United Nations. The President of the Security Council, it continued, had the indisputable right to circulate letters from the Governments of States, whether Members or non-members of the United Nations, on questions within the competence of the Council, and in that matter he must be guided by the purposes and principles of the Charter and not by the arbitrary opinions of individual Members of the Organization.

¹⁰ See also chapter 15 above.

787. In a letter dated 5 March 1970 (S/9680), the Permanent Representative of Israel requested circulation of a statement made in the Knesset on 4 March 1970 by the Minister of Foreign Affairs of Israel.

788. In a letter dated 13 March (S/9704), the Permanent Representative of the Union of Soviet Socialist Republics protested the circulation of the above-mentioned statement as an official document of the Security Council, on the grounds that it contained references to matters falling completely within the domestic jurisdiction of the Union of Soviet Socialist Republics in violation of Article 2, paragraph 7, of the Charter and was therefore illegal. He added that it was also at variance with the practice of the Security Council in accordance with which communications subject to circulation as official documents of the Security Council were those relating to items that were being examined by the Security Council and were included in its agenda.

789. In a reply dated 19 March (S/9718), the Permanent Representative of Israel stated that the objections to the circulation of Israel's statement were

unfounded and that the statement had been made in reaction to the Soviet policy of unreserved support for Arab aggressions against Israel and was obviously of direct concern to the Security Council. Furthermore, the rights of Soviet Jews referred to in that statement were of direct concern to all Member States, and Article 2, paragraph 7, of the Charter did not bear the interpretations which the representative of the Union of Soviet Socialist Republics sought to place upon it.

790. In a letter dated 27 March (S/9723), the Permanent Representative of the Union of Soviet Socialist Republics vigorously protested the illegal circulation by the President of the Security Council of the letter from the Permanent Representative of Israel, dated 19 March (S/9718), in violation of the Charter of the United Nations and of the practice of the Security Council, on a matter which fell wholly within the domestic jurisdiction of a State Member of the United Nations and was not even remotely connected with either the question of the situation in the Middle East or any other question being discussed in the Security Council.

Chapter 29

COMMUNICATIONS CONCERNING RATIFICATION OF THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

791. By letters dated 7 March (S/9684), 12 March (S/9701) and 13 March 1970 (S/9703), respectively, the Permanent Representatives of the Union of Soviet Socialist Republics, the United States of America and the United Kingdom of Great Britain and Northern Ireland transmitted statements made by the Chairman of the Council of Ministers of the USSR, the President of the United States and the Prime Minister of the United Kingdom at the ceremony marking the deposit of instruments of ratification of the Treaty on the Non-Proliferation of Nuclear Weapons and requested the circulation of those statements as official documents of the Security Council and, in view of the relevance to resolution 2373 (XXII), of the General Assembly. The statements, after welcoming the Treaty's entry into force, urged States that had not yet done so to sign and ratify the Treaty and stressed the importance of all possible steps being taken by the nuclear Powers and all other countries to bring about the cessation of the nuclear race and to promote general and complete disarmament.

Chapter 30

COMMUNICATION CONCERNING THE UNITED NATIONS CONFERENCE ON THE LAW OF TREATIES

792. By a note dated 30 January 1970 (S/9631), the President of the Security Council drew the attention of the members of the Council to the resolution relating to the Declaration on the Prohibition of Military, Political or Economic Coercion in the Conclusion of Treaties, adopted by the United Nations Conference on the Law of Treaties, which was transmitted to him by the Secretary-General. In the operative paragraphs of the Declaration, the Conference solemnly condemned the threat or use of pressure in any form, whether military, political or economic, by any State, in order to coerce another State to perform any act relating to the conclusion of a treaty in violation of the principles of the sovereign equality of States and freedom of consent, and decided that the Declaration should form part of the Final Act of the Conference on the Law of Treaties.

Chapter 31

COMMUNICATION CONCERNING THE SIXTH SUMMIT CONFERENCE OF EAST AND CENTRAL AFRICAN STATES

793. By a letter dated 10 March 1970 (S/9695), the representative of the Sudan transmitted to the Security Council the text of a joint communiqué issued at the end of the Sixth Summit Conference of East and Central African States, held in Khartoum from 26 to 28 January 1970. The communiqué stated, that the representatives of the fourteen States who attended the Conference, namely, the representatives of Burundi, Chad, Central African Republic, People's Republic of the Congo, Democratic Republic of the Congo, Ethiopia, Kenya, Malawi, Rwanda, Somalia, Sudan, United Republic of Tanzania, Uganda and Zambia, had decided to intensify by all adequate means the national liberation struggle in Africa by making available all necessary facilities to the liberation movements as would enable them to carry out the struggle and to request His Imperial Majesty Haile Selassie I to contact all African heads of State and Government for the quick and efficient implementation of the decisions relating to the strengthening of the liberation struggle, as well as the national liberation movements themselves, with a view to co-ordinating their activities.

Chapter 32

COMMUNICATION CONCERNING THE QUESTION OF THE PROTECTION AND INVOLABILITY OF DIPLOMATIC AGENTS

794. In a letter dated 5 May 1970 (S/9789), the representative of the Netherlands said that his Government wished to recall that from ancient times the immunity and inviolability of diplomatic agents had been established by rules of international law. It therefore considered that the increasing number of attacks on diplomats, resulting in the loss of life in some cases, might endanger the conduct of friendly relations between states. Moreover, such attacks on the person, the freedom or dignity of diplomats could lead to situations giving rise to a dispute and, as such, could even endanger the maintenance of international peace and security. In view of those considerations, the Netherlands Government deemed it proper to draw attention to the question and to request the President of the Security Council to inform members of the Council and appropriate organs of the United Nations, of the existing preoccupation.

Chapter 33

COMMUNICATION CONCERNING THE QUESTION OF THE STRENGTHENING OF INTERNATIONAL SECURITY

795. By a letter dated 5 May 1970, the Permanent Representative of Brazil transmitted to the President of the Security Council (S/9786), for the information of members of the Council, the text of a memorandum on the strengthening of international security that the Government of Brazil had forwarded to the Secretary-General in accordance with paragraph 3 of General Assembly resolution 2606 (XXIV). Brazil requested that the memorandum should be circulated as a Security Council document.

796. The memorandum stated that in the view of the Brazilian Government the strengthening of international security through the United Nations could be accomplished by (a) a rededication of all Member States, particularly the great Powers, to the purposes and principles of the United Nations Charter on the occasion of the twenty-fifth anniversary of the Organization, and (b) improving and further developing the collective security machinery of the United Nations. As far as the machinery was concerned, two avenues could be explored: (a) revision of the Charter for the purpose of adapting it to the new functions the United Nations was expected to perform in the future, and (b) full utilization of the procedures already available in Chapter VI of the United Nations Charter. Although the Brazilian Government attached high priority to the need for revision of the Charter, it felt that urgent measures could be taken without waiting for

the necessary lengthy procedures entailed by such a revision. It was the view of the Government of Brazil that the establishment by the Security Council of *ad hoc* committees for the pacific settlement of disputes, as well as other measures emphasizing the diplomatic role of the Council, as distinct from its political role, would have an immediate, positive impact on the current capabilities of the United Nations to maintain international peace and security.

Chapter 34

COMMUNICATION FROM THE ORGANIZATION OF AMERICAN STATES

797. By a letter dated 9 March 1970 (S/9693) addressed to the Secretary-General, the Secretary-General of the Organization of American States (OAS) informed the Security Council that the Tenth Meeting of Consultation of Ministers of Foreign Affairs, which dealt with the situation in the Dominican Republic, had completed its work on 6 March and that, on the same date, the special delegates had signed the Final Act.

APPENDICES

I. Membership of the Security Council during the years 1969 and 1970

1969	1970
Algeria	Burundi
China	China
Colombia	Colombia
Finland	Finland
France	France
Hungary	Nepal
Nepal	Nicaragua
Pakistan	Poland
Paraguay	Sierra Leone
Senegal	Spain
Spain	Syria
Union of Soviet Socialist Republics	Union of Soviet Socialist Republics
United Kingdom of Great Britain and Northern Ireland	United Kingdom of Great Britain and Northern Ireland
United States of America	United States of America
Zambia.	Zambia

II. Representatives and deputy, alternate and acting representatives accredited to the Security Council

The following representatives and deputy, alternate and acting representatives were accredited to the Security Council during the period covered by the present report

Algeria^a

Mr. Abdellatif Rahal
Mr. Hadj Benabdelkader Azzout
Mr. M'hammed Yazid

Burundi^b

Mr. Nsanzé Terence
Mr. Felix Magenge

China

Mr. Lieu Chieh
Dr. Chun-Ming Chang

Colombia

Dr. Joaquín Vallejo Arbelaez
Dr. José María Morales-Suárez

Finland

Mr. Max Jakobson
Mr. Ilkka Pastinen
Mr. Matti Cawen
Mr. Ensio Helaniemi

France

Mr. Armand Berard
Mr. Claude Chayet
Mr. Marcel Bouquin
Mr. Jacques Kosciusko Morizet

Hungary^a

Mr. Károly Csatorday
Mr. József Tardos
Mr. Endre Zádor

Nepal^b

Mr. Padma Bahadur Khatri
Mr. Uddhav Deo Bhatt

Nicaragua^b

Dr. Guillermo Sevilla Sacasa
Dr. Alfonso Ortega Urbina
Mr. Guillermo Lang
Mr. José Román
Mr. Gilberto Pérez Alonso

Pakistan^a

Mr. Agha Shahi
Mr. Mohammad Yunus

Paraguay^a

Mr. Miguel Solano López
Dr. Víctor Manuel Jara Recalde

Poland^b

Mr. Eugeniusz Kulaga
Dr. Leszek Kasprzyk

Senegal^a

Mr. Ibrahim Boye
Mr. Abdou Salam M'Bengue

Sierra Leone^b

Dr. Davidson S. H. W. Nicol
Mr. Freddie B. Savage
Mr. Charles E. Wyse

Spain

Mr. Jaime de Piniés
Mr. Gabriel Cañadas

Syria

Dr. George J. Tomeh
Mr. Rafic Jouejati

Union of Soviet Socialist Republics

Mr. Yakov Aleksandrovich Malik

^a Term of office ended on 31 December 1969.

^b Term of office began on 1 January 1970.

Mr. Lev Isaakovich Mendelevich
Mr. Aleksei Vasilyevich Zakharov
Dr. Viktor Levonovich Issraelyan
Mr. Nikolai Konstantinovich Tarassov
Mr. Vikenti Pavlovich Sobolev

United Kingdom of Great Britain and Northern Ireland

Lord Caradon
Mr. Frederick A. Warner
Mr. David H. T. Hildyard

Mr. Anthony D. Parsons
Mr. Henry Darwin

United States of America

Mr. Charles W. Yost
Mr. William B. Buffum
Mr. Christopher H. Phillips

Zambia

Mr. Vernon Johnson Mwaanga
Mr. Lishomwa Sheba Muulita

III. Presidents of the Security Council

The following representatives held office of President of the Security Council during the period covered by the present report

Senegal

Mr. Ibrahima Boye (16 to 31 July 1969)

Spain

Mr. Jaime de Piniés (1 to 31 August 1969)

Union of Soviet Socialist Republics

Mr. Yakov Aleksandrovich Malik (1 to 30 September 1969)

United Kingdom of Great Britain and Northern Ireland

Lord Caradon (1 to 31 October 1969)

United States of America

Mr. Charles W. Yost (1 to 30 November 1969)

Zambia

Mr. Vernon Johnson Mwaanga (1 to 31 December 1969)

Burundi

Mr. Nsanzé Terence (1 to 31 January 1970)

China

Mr. Liu Chieh (1 to 28 February 1970)

Colombia

Dr. Joaquín Vallejo Arbelaez (1 to 31 March 1970)

Finland

Mr. Max Jakobson (1 to 30 April 1970)

France

Mr. Jacques Kosciusko Morizet (1 to 31 May 1970)

Nepal

Mr. Padma Bahadur Khatri (1 to 30 June 1970)

IV. Meetings of the Security Council during the period from 16 July 1969 to 15 June 1970

Meeting	Subject	Date	Meeting	Subject	Date
1486th	Complaint by Zambia: Letter dated 15 July 1969 from the Permanent Representative of Zambia addressed to the President of the Security Council (S/9331)	18 July 1969	1497th	Ditto	12 August 1969
1487th	Ditto	22 July 1969	1498th	The situation in the Middle East: (a) Letter dated 12 August 1969 from the Chargé d'affaires a.i. of Lebanon addressed to the President of the Security Council (S/9385)	13 August 1969
1488th	Ditto	23 July 1969		The situation in the Middle East: (b) Letter dated 12 August 1969 from the Permanent Representative of Israel addressed to the President of the Security Council (S/9387)	
1489th	Ditto	24 July 1969	1499th	Ditto	14 August 1969
1490th	Ditto	25 July 1969	1500th	Ditto	14 August 1969
1491st	Ditto	28 July 1969	1501st	Ditto	15 August 1969
1492nd	The situation in Namibia: Letter dated 24 July 1969 from the representatives of Chile, Colombia, Guyana, India, Indonesia, Nigeria, Pakistan, Turkey, United Arab Republic, Yugoslavia and Zambia addressed to the President of the Security Council (S/9359)	30 July 1969	1502nd	Ditto	18 August 1969
1493rd	Ditto	4 August 1969	1503rd	The situation in Northern Ireland: Letter dated 17 August 1969 from the Permanent Representative of	20 August 1969
1494th	Ditto	6 August 1969			
1495th	Ditto	8 August 1969			
1496th	Ditto	11 August 1969			

Meeting	Subject	Date	Meeting	Subject	Date
	Ireland addressed to the President of the Security Council (S/9394)			9353, S/9354 and Add.1/Rev.1 and Add.2-4, S/9391)	
1504th	The situation in the Middle East: (a) Letter dated 12 August 1969 from the Chargé d'affaires a.i. of Lebanon addressed to the President of the Security Council (S/9385)	26 August 1969	1516th	Complaint by Senegal: Letter dated 27 November 1969 from the Permanent Representative of Senegal addressed to the President of the Security Council (S/9513)	4 December 1969
	The situation in the Middle East: (b) Letter dated 12 August 1969 from the Permanent Representative of Israel addressed to the President of the Security Council (S/9387)		1517th	Ditto	5 December 1969
1505th	Letter dated 18 August 1969 addressed to the President of the Security Council by the Permanent Representative of the United States of America (S/9397)	27 August 1969	1518th	Complaints by Senegal: (a) Letter dated 27 November 1969 from the Permanent Representative of Senegal addressed to the President of the Security Council (S/9513)	8 December 1969
1506th	Ditto	29 August 1969		(b) Letter dated 7 December 1969 from the Permanent Representative of Senegal addressed to the President of the Security Council (S/9541)	
1507th	The situation in the Middle East: Letter dated 28 August 1969 addressed to the President of the Security Council by the representatives of Afghanistan, Algeria, Guinea, Indonesia, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Malaysia, Mali, Mauritania, Morocco, Niger, Pakistan, Saudi Arabia, Somalia, Southern Yemen, Sudan, Syria, Tunisia, Turkey, United Arab Republic and Yemen (S/9421 and Add.1 and 2)	9 September 1969	1519th	Ditto	8 December 1969
			1520th	Ditto	9 December 1969
1508th	Ditto	10 September 1969	1521st	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488)	11 December 1969
1509th	Ditto	11 September 1969		Report by the Secretary-General on the United Nations Operation in Cyprus (S/9521 and Corr.1)	
1510th	Ditto	12 September 1969	1522nd	Complaint by Guinea: Letter dated 4 December 1969 from the Chargé d'affaires a.i. of Guinea addressed to the President of the Security Council (S/9528)	15 December 1969
1511th	Ditto	15 September 1969			
1512th	Ditto	15 September 1969	1523rd	Ditto	17 December 1969
1513th (private)	Consideration of the report of the Security Council to the General Assembly	15 October 1969	1524th	Ditto	18 December 1969
1514th	International Court of Justice Letter dated 23 September 1969 from the President of the General Assembly to the President of the Security Council (S/9462)	23 October 1969	1525th	Ditto	19 December 1969
1515th	Election of five members of the International Court of Justice (S/	27 October 1969	1526th	Ditto	22 December 1969
			1527th	The situation in Namibia: Letter dated 26 January 1970 addressed to the President of the Security Council from the representatives of Afghanistan, Algeria, Burundi, Cambodia, Ceylon, Chad, Congo (Democratic Republic of), Congo (People's Republic of), Cyprus, Dahomey, Ethiopia, Gabon, Guinea, India, Indonesia, Iran, Iraq, Japan, Jordan, Kenya, Kuwait, Lebanon, Liberia, Libya, Mada-	28 January 1970

Meeting	Subject	Date
	gascar, Malaysia, Mali, Mauritania, Mauritius, Morocco, Nepal, Niger, Nigeria, Pakistan, Philippines, Rwanda, Senegal, Sierra Leone, Singapore, Somalia, Southern Yemen, Sudan, Syria, Thailand, Togo, Tunisia, Turkey, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta, Yugoslavia and Zambia (S/9616 and Add. 1-2)	
1528th	Ditto	29 January 1970
1529th	Ditto	30 January 1970
1530th	Question concerning the situation in Southern Rhodesia: Letter dated 3 March 1970 from the Permanent Representative of the United Kingdom addressed to the President of the Security Council (S/9675)	6 March 1970
1531st	Question concerning the situation in Southern Rhodesia: (a) Letter dated 3 March 1970 from the Permanent Representative of the United Kingdom to the President of the Security Council (S/9675) (b) Letter dated 6 March 1970 addressed to the President of the Security Council by the representatives of Algeria, Botswana, Burundi, Cameroon, Central African Republic, Chad, Congo, (Democratic Republic of), Congo (People's Republic of), Dahomey, Equatorial Guinea, Ethiopia, Ghana, Guinea, Ivory Coast, Kenya, Lesotho, Liberia, Libya, Madagascar, Mali, Mauritania, Mauritius, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, Togo, Tunisia, Uganda, United Arab Republic, United Republic of Tanzania, Upper Volta and Zambia (S/9682/Rev.1)	11 March 1970
1532nd	Ditto	12 March 1970
1533rd	Ditto	13 March 1970

Meeting	Subject	Date
1534th	Ditto	17 March 1970
1535th	Ditto	18 March 1970
1536th	Question of Bahrain: (a) Letter dated 4 May 1970 from the Permanent Representative of Iran addressed to the President of the Security Council (S/9779) (b) Letter dated 5 May 1970 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland addressed to the President of the Security Council (S/9783) (c) Note by the Secretary-General (S/9772)	11 May 1970
1537th	The situation in the Middle East: (a) Letter dated 12 May 1970 from the Permanent Representative of Lebanon to the President of the Security Council (S/9794) The situation in the Middle East: (b) Letter dated 12 May 1970 from the Permanent Representative of Israel to the President of the Security Council (S/9795)	12 May 1970
1538th	Ditto	12 May 1970
1539th	Ditto	13 May 1970
1540th	Ditto	14 May 1970
1541st	Ditto	15 May 1970
1542nd	Ditto	19 May 1970
1543rd	Letter dated 26 December 1963 from the Permanent Representative of Cyprus addressed to the President of the Security Council (S/5488) Report by the Secretary-General on the United Nations operation in Cyprus (S/9814 and Corr.1-2)	9 June 1970
1544th	The question of initiating periodic meetings of the Security Council in accordance with Article 28, paragraph 2, of the Charter Letter dated 5 June 1970 from the Permanent Representative of Finland to the President of the Security Council (S/9824)	12 June 1970

V. Representatives, chairmen and principal secretaries of the Military Staff Committee

A. REPRESENTATIVES OF EACH SERVICE IN RESPECT OF EACH DELEGATION

16 July, 1969 to 15 June 1970

Period of service from 16 July 1969

Chinese delegation

General Wang Shu-ming, Chinese Air Force	16 July 1969 to present time
Rear Admiral Hsiung Teh-shu, Chinese Navy	16 July 1969 to present time
Colonel Hwang Hsiung-sheng, Chinese Air Force and Acting Army Representative	16 July 1969 to present time

French delegation

Brigadier General R.J. Pessey, French Army	16 July 1969 to present time
Colonel J. Faberes, French Air Force	16 July 1969 to present time
Commander J.P. Murgue, French Navy	16 July 1969 to present time

USSR delegation

Major General M.I. Stolnik, Soviet Army	16 July 1969 to present time
Captain 1st Rank V.N. Vashchenko, USSR Navy	16 July 1969 to 8 April 1970
Captain 1st Rank N.I. Roshchin, USSR Navy	8 April 1970 to present time
Colonel V.I. Pereverzev, USSR Air Force	16 July 1969 to present time

United Kingdom delegation

Lieutenant General Sir George Lea, British Army	16 July 1969 to 28 May 1970
Brigadier D.J.St.M. Tabor, British Army	28 May 1970 to present time
Rear Admiral L.E.S.H. Le Bailly, Royal Navy	16 July 1969 to 28 August 1969
Rear Admiral C.C.H. Dunlop, Royal Navy	28 August 1969 to present time
Air Vice-Marshal D. Crowley-Milling, Royal Air Force	16 July 1969 to 10 March 1970
Air Commodore C.W. Coulthard, Royal Air Force	10 March 1970 to 28 May 1970
Air Marshal Sir John Lapsley, Royal Air Force	28 May 1970 to present time

United States delegation

Lieutenant General J.W. Carpenter III, US Air Force	16 July 1969 to present time
Vice Admiral J.M. Lee, US Navy	16 July 1969 to 27 February 1970
Vice Admiral A.F. Schade, US Navy	27 February 1970 to present time
Lieutenant General H.J. Lemley, Jr., US Army	16 July 1969 to 1 August 1969
Lieutenant General R.G. Stilwell, US Army	1 August 1969 to present time

B. CHAIRMEN AT MEETINGS

16 July 1969 to 15 June 1970

Meeting	Date	Chairman	Delegation
630th	17 July 1969	Vice Admiral J.M. Lee, US Navy	US
631st	31 July 1969	Vice Admiral J.M. Lee, US Navy	US
632nd	14 Aug. 1969	General Wang Shu-ming, Chinese Air Force	China
633rd	28 Aug. 1969	General Wang Shu-ming, Chinese Air Force	China
634th	11 Sept. 1969	Brigadier General R.J. Pessey, French Army	France
635th	25 Sept. 1969	Brigadier General R.J. Pessey, French Army	France
636th	9 Oct. 1969	Major General M.I. Stolnik, Soviet Army	USSR
637th	23 Oct. 1969	Major General M.I. Stolnik, Soviet Army	USSR
638th	6 Nov. 1969	Air Vice-Marshal D. Crowley-Milling, Royal Air Force	UK
639th	20 Nov. 1969	Lieutenant General Sir George Lea, British Army	UK
640th	4 Dec. 1969	Vice Admiral J.M. Lee, US Navy	US
641st	18 Dec. 1969	Vice Admiral J.M. Lee, US Navy	US
642nd	15 Jan. 1970	General Wang Shu-ming, Chinese Air Force	China
643rd	29 Jan. 1970	General Wang Shu-ming, Chinese Air Force	China
644th	12 Feb. 1970	Brigadier General R.J. Pessey, French Army	France
645th	26 Feb. 1970	Colonel J. Faberes, French Air Force	France
646th	12 Mar. 1970	Major General M. I. Stolnik, Soviet Army	USSR
647th	26 Mar. 1970	Captain 1st Rank V.N. Vashchenko, USSR Navy	USSR
648th	9 Apr. 1970	Rear Admiral C.C.H. Dunlop, Royal Navy	UK
649th	23 Apr. 1970	Lieutenant General Sir George Lea, British Army	UK
650th	7 May 1970	Vice Admiral A.F. Schade, US Navy	US
651st	21 May 1970	Vice Admiral A.F. Schade, US Navy	US
652nd	4 June 1970	General Wang Shu-ming, Chinese Air Force	China

C. PRINCIPAL SECRETARIES AT MEETINGS

16 July 1969 to 15 June 1970

Meeting	Date	Principal Secretary	Delegation
630th	17 July 1969	Captain B.T. Douglas, US Navy	US
631st	31 July 1969	Captain B.T. Douglas, US Navy	US
632nd	14 Aug. 1969	Colonel Hwang Hsiung-sheng, Chinese Air Force	China

Meeting	Date	Principal Secretary	Delegation
633rd	28 Aug. 1969	Rear Admiral Hsiung Toh-shu, Chinese Navy	China
634th	11 Sept. 1969	Lt. Colonel J.F. Podeur, French Army	France
635th	25 Sept. 1969	Brigadier General R.J. Pessey, French Army	France
636th	9 Oct. 1969	Lt. Colonel Y.P. Vetrov, Soviet Army	USSR
637th	23 Oct. 1969	Lt. Colonel Y.P. Vetrov, Soviet Army	USSR
638th	6 Nov. 1969	Colonel C.H.M. Toye, British Army	UK
639th	20 Nov. 1969	Colonel F.H. Bristowe, Royal Marines	UK
640th	4 Dec. 1969	Colonel A.A. Olson, US Army	US
641st	18 Dec. 1969	Colonel A.A. Olson, US Army	US
642nd	15 Jan. 1970	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
643rd	29 Jan. 1970	Colonel Hwang Hsiung-sheng, Chinese Air Force	China
644th	12 Feb. 1970	Lt. Colonel J.F. Podeur, French Army	France
645th	26 Feb. 1970	Lt. Colonel J.F. Podeur, French Army	France
646th	12 Mar. 1970	Lt. Colonel Y.P. Vetrov, Soviet Army	USSR
647th	26 Mar. 1970	Lt. Colonel Y.P. Vetrov, Soviet Army	USSR
648th	9 Apr. 1970	Colonel F.H. Bristowe, Royal Marines	UK
649th	23 Apr. 1970	Group Captain J.M. Daniel, Royal Air Force	UK
650th	7 May 1970	Colonel A.A. Olson, US Army	US
651st	21 May 1970	Colonel A.A. Olson, US Army	US
652nd	4 June 1970	Colonel Hwang Hsiung-sheng, Chinese Air Force	China

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